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## EXAMINATION OF THE WELWYN HATFIELD LOCAL PLAN

### HEARING SESSIONS STAGE 2 Q4 AND Q5: GREEN BELT Q8 - FIVE YEAR LAND SUPPLY

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#### INTRODUCTION

This statement is submitted by Marrons Planning representing the interests of Lands Improvement and addresses those questions in respect of Green Belt and Five Year Land Supply raised by the Inspector.

#### Q4: GREEN BELT REVIEW

**1. Has an objective assessment of the contribution land makes to the purposes of the GB been undertaken?**

Lands Improvement and its consultants have closely monitored the Council's preparation of its Local Plan and the background evidence on which it relies. Having done so, they are confident that the objective assessment required to inform the Local Plan's proposals has been undertaken; all as described in the Green Belt Topic Paper (TPA/2).

**2. Do the proposed revisions to GB boundaries result in stronger boundaries that will endure well beyond the life of this plan?**

National planning policy on the definition and review of Green Belt boundaries is set out in Section 9 of the NPPF. When revising Green Belt boundaries, authorities have to:

- have regard to their intended permanence in the long term (paragraph 83);
- the need to promote sustainable development (paragraph 84);
- not include land which it is unnecessary to keep permanently open and *“define boundaries clearly, using physical features that are readily recognisable and likely to be permanent”* (paragraph 85).

Where exceptional circumstances justifying a review of the Green Belt (paragraph 83) have been shown to exist, it is not an additional requirement that “stronger boundaries” are created.

It is difficult to respond further to this question without being site specific. In the case of HS28 (Cuf6), the revisions to the Green Belt boundary, as now proposed in the Local Plan, will be formed by a mature hedgerow and tree belt lining the Hertfordshire Way footpath to the south and the railway line to the east; both of which can be described as “*readily recognisable*” and “*likely to be permanent*”. As summarised in HOU/20a, the Green Belt Boundary Appraisal concluded that the “*New Green Belt boundary formed by the site would be clearly defined and similar in strength to the existing boundary*” (formed by the settlement edge).

However just because a Green Belt boundary has been revised in accordance with one part of national policy does not mean that other boundaries could not also be drawn which would enable other aspects of national policy to be more fully met. For example, the Council recognises that it is not providing for its full objectively assessed need (FOAN). Further it is only reviewing the Green Belt to enable the provision of the housing target which the Council has concluded is appropriate in the circumstances pertaining to the Borough at this time. (Paragraph 38a of EX11 refers). As a consequence, the Local Plan is not consistent with national policy in that it is not providing either for the needs of the plan period (which will inevitably necessitate the release of further land from the Green Belt), nor is it proposing Green Belt boundaries which will endure beyond the long term; issues which will need to be addressed in an early review of the Plan.

In conclusion, the revised boundaries identified by the Council are accepted as correct insofar as they go. But, if a higher housing target is identified or provision for long term needs is required, further revisions to the Green Belt’s boundaries will be required at which time the strength of the boundaries will need to be reconsidered. It is in this context that reference is made to the representations submitted by Marrons Planning to Policy SP3 which draws attention to the fact that there is land to the south of HS28 south of Cuffley which could meet some of the need for further development in this area in the future.

**Q5: GREEN BELT EXCEPTIONAL CIRCUMSTANCES.**

**3. What should constitute exceptional circumstances for removing land from the GB?**

The Council has set out the exceptional circumstances which it has concluded exist in the case of the Borough in its Green Belt Topic Paper (TPA/2). In so doing it has had regard to the case of Calverton Parish Council vs Nottingham City Council and whether the acuteness of the FOAN is such that some intrusion into the Green Belt (and its consequent revision) will be required. The Council has concluded that the FOAN is sufficiently acute to establish the exceptional circumstances required to justify a review of and revision to Green Belt boundaries; a conclusion which Marrons Planning agrees with.

**4. Has the choice of land to be lost from the GB been objectively derived?**

**i) Housing.**

Yes by reference to the detailed analysis and balancing exercise which has been undertaken firstly in the two Green Belt studies (GB/1, GB/2 and GB/3) and then in the Site Selection Background Papers (HOU/20)

**ii) Employment.**

No comment

**IN SUMMARY:**

**What part of the DPD is unsound?**

Borough-wide strategic objective No 1

**Which soundness test(s) it fails.**

Positively prepared; justified; consistent with national policy

**Why it fails (point to the key parts of your original representations).**

The boundaries of the Green Belt will not endure and will require further review prior to 2032

**How the DPD can be made sound.**

The deletion of that part of Strategic Objective 1 which states that “to ensure that its boundaries will not need reviewing before 2032”

**The precise change/wording that is being sought.**

As above.

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**What part of the DPD is unsound?**

Policy SP3

**Which soundness test(s) it fails.**

Positively prepared; consistent with national policy

**Why it fails (point to the key parts of your original representations).**

1. The boundaries of the Green Belt will not endure and will require further review prior to 2032;
2. Sites to meet the longer term needs of development will need to be identified; and,
3. Reference to the maintenance of Green Belt boundaries in relation to the large excluded villages

**How the DPD can be made sound.**

1. By the identification of safeguarded land to meet the longer term needs of development possibly by way of a further call for sites;
2. Deletion of “and the maintenance of Green Belt boundaries” from Table 2 in Policy SP3

**The precise change/wording that is being sought.**

As above.

**Q8: FIVE YEAR LAND SUPPLY**

**5. Are the Council’s assumptions sound?**

In Marrons Planning’s representations to Table 2, ‘Distribution of Housing Growth’, concern was raised at the precise nature of various figures used by the Council, as it assumes a degree of precision which is just not possible as part of the strategic planning process.

By way of example, reference was made in the representations to one of the allocated sites (HS28, for 108 dwellings south of Northaw Road East, Cuffley or Cuf6 in HOU/20, the Housing Sites Selection Paper) which is the subject of an

undetermined application for planning permission. In order to inform the application, detailed technical assessments have been undertaken, as a consequence of which Lands Improvement is confident that the site could accommodate in the order of 120 dwellings. The higher density achieves a mix of dwelling types and sizes, as sought by Policy SP7, and in particular, a comparatively high proportion of smaller dwellings. For this reason the description of development is for “up to 121 dwellings”; 12% more than the figure which the Council has used in its assumptions.

Marrons Planning is aware that when calculating site capacities, one of the assumptions that the Council has adopted is that sites of between 2 and 6 hectares in size will be developed at 30 dph. Whilst this might be appropriate in certain circumstances, it is not considered realistic where a mix of dwelling types and sizes can and should be achieved. In Lands Improvement’s experience, many sites adjoining villages and other built up areas are more realistically developed at 35 dph.

In a borough where the Local Plan is not meeting its full objectively assessed need (whatever it is concluded that figure should be), and in particular where it is dependent upon Green Belt releases to accommodate its need for housing, it is imperative that effective use is made of sites, so that whilst sufficient land is provided, it is limited to that which is necessary to secure sustainable development.

It may not be realistic for each and every site to be the subject of an uplift in its capacity but this will not be possible to determine until the detailed site assessments have been undertaken. In the circumstances, it is considered that there should be sufficient flexibility within the Plan to enable higher density development, where appropriate, and that this should be reflected in the housing supply calculations.

In order to incorporate appropriate figures into the Plan, the capacity assumptions should be the subject of a 10% uplift. Further all stated capacities, whatever they may be, should be rounded up (or down) in order to avoid implying that any site will be developed with the precise number indicated. This approach will ensure that local communities and others do not have false expectations about the likelihood of detailed development proposals matching the **exact** figures set out in the Plan and will accord with the Council’s approach that site capacities are “*not intended to be definitive*”; a statement contained in evidence but not the Plan itself. (Paragraph 8.36 of the Housing Sites Selection Background Paper (HOU/20); June 2016)

**6. Is the proposed windfall allowance appropriate?**

No comments.

**7. Is the proposed split housing trajectory sound?**

The Council's explanation of the derivation of the 'split' housing target, as set out in paragraph 23a) of its response to the Inspector's Preliminary Questions on Matter 2 (EX11), is noted. It would appear that the split is derived from the amount of housing which it is anticipated can be provided during the first nine years of the plan period, rather than a calculated need for housing during this time. This is probably a realistic approach to adopt in the circumstances pertaining in Welwyn Hatfield, and hence can be described as both justified and effective, **provided** that the Council ensures that the delivery of those dwellings included within the first part of the Housing Trajectory is facilitated and the boost to the supply of housing is secured (in comparison to recent rates of delivery, as reflected in the number of completions between 2013 – 2017), in the manner described in paragraph 23e) of EX11.

**8. Could the proposed housing development strategy result in a five year supply of housing land?**

In its Annual Monitoring Report 2015/16 (IMP/1), published in January 2017, the Council stated that *"the borough now has a 5.03 year supply of housing land"* (at 31 September 2016; sic). It went on to explain that *"the housing target was recently set as part of the publication of the draft Local Plan and with the intention that a 5 year supply would be achieved once the Local Plan is adopted."* (Page 4 of the Executive Summary refers).

The Council's Housing Trajectory, and the estimated rate of delivery from the allocated sites and other sources of housing supply shown therein, has been used to inform the 5 Year Housing Supply calculation (Appendix 3, 'Housing trajectory summary table to 2021/22' of the Annual Monitoring Report 2015/2016 refers). Consequently the proposed housing development strategy could result in a five year supply of housing land. However to achieve a five year supply, it is essential that the identified sites come forward without delay because without them the soundness of the Housing Trajectory is questionable.

As an example, the 108 dwellings on HS28, 'Land south of Northaw Road East, Cuffley' are shown as being delivered within the 5 year period; specifically 2019/22. Lands Improvement is confident that the site can be delivered within this timeframe, not least because there are no statutory objections to the application, but only if planning permission for the site is not unduly delayed.

As shown in the 'Housing land supply calculation', set out in paragraph 5.20 of the AMR, the number of dwellings in excess of the 5 years amounts to a mere 19 (3,034 – 3,015). Consequently if there is a delay in a single site securing planning permission the Council's ability to show a 5 year supply of housing will be undermined.

## **IN SUMMARY**

### **What part of the DPD is unsound?**

Policy SP2

### **Which soundness test(s) it fails.**

Positively prepared

### **Why it fails (point to the key parts of your original representations).**

The Plan is insufficiently flexible to accommodate densities which vary from the broad assumptions which the Council relied upon when calculating site capacities

### **How the DPD can be made sound.**

1. The housing provision should be based upon a realistic assessment of site capacity;
2. All site capacities should expressed as round numbers; and,
3. The explanatory text should contain similar text to that contained within paragraphs 8.35 and 8.36 of HOU/20 (indicative capacities may vary from those included within the Plan)

### **The precise change/wording that is being sought.**

As above

**Jane Gardner**

**4 October 2017**