

# Statement

Topic specific policies

Arlington Business Parks GP Limited

25 January 2018

**SP4 transport and travel.** Will the policy ensure that the future development and use of land in the Borough contribute to the mitigation of and adaptation to climate change as required by section 19(1)(a) of the Planning and Compulsory Purchase Act 2004 (P&CPA 2004)?

1. For the reasons set out in our previous statements, we do not believe that the Council's development pattern strategy and supporting transport strategy is sustainable and consequently it is not in accordance with section 19(1)(a) of the Planning and Compulsory Purchase Act 2004 ('the Act'), which states that development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. In our statement on legal compliance and duty to cooperate dated 8 September 2017 we also said that the DPD has not been prepared in full accordance with section 19(2)(a) of the Act which requires local planning authorities to have regard to national policies and advice in the preparation of local development documents.
2. Our statement expanded that the draft Local Plan has not had regard to appropriate national policy in the NPPF (2012) on the presumption in favour of sustainable development.
3. A core planning principle is that patterns of growth should be managed actively to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable (17, NPPF). A strategic objective of the draft Local Plan reflects this policy as it is 'to deliver a sustainable pattern of development by directing the majority of new development to the main towns and limited development to the excluded villages where it can be supported by appropriate infrastructure, the need to travel is minimised ... (Objective 2, 3.2, the draft Local Plan).
4. However, the proposed settlement strategy, which policy SP4 supports, is inherently unsustainable and contrary to focusing significant development in locations which are or can be made sustainable.
5. Policy SP4 states that consistent with the vision and objectives of this Local Plan, the Council will seek to support planned growth with appropriate transport infrastructure, with the emphasis on promoting the use of sustainable modes of travel. Given our comments on the inherently unsustainable nature of the Council's vision and objectives of the draft Local Plan it follows that policy SP4 is contradictory as it is not possible to promote sustainable modes of travel to support unsustainable patterns of development.
6. Furthermore, the supporting justification to policy SP4 states that 'the Local Plan seeks to achieve sustainable patterns of development within the borough that minimises the need to travel by directing growth to those areas with good transport networks and which are well served by jobs, services and facilities'. However, this statement is not supported by the Council's evidence in the SA that some of the proposed locations for growth are not well served by jobs, services and facilities.
7. Policy SP4, in supporting the proposed settlement strategy, is therefore contrary to national policy on focussing significant development in locations which are or can be made sustainable (17, NPPF) and consequently this makes policy SP4 also contrary to S19(1)(a) and S19(2)(a) of the Act. In addition, and as said in our previous statement on legal compliance, the draft Local Plan, including policy SP4 because it supports an unsustainable pattern of growth, is fundamentally at odds with S39(2) of the Act, which requires a local planning authority to

prepare a local development document with the objective of contributing to the achievement of sustainable development.

**SP12 strategic green infrastructure.** Is the policy consistent with the definition and understanding of green infrastructure as set out in NPPG? Should there be better referencing of the inter authority network of green infrastructure? Should the policy explain and promote the multifunctional uses and benefits of green infrastructure? Should the Ellenbrook Country Park be listed as a proposal and identified on the Key Diagram and the Proposals Map in a similar way to the other assets within or close to the Welwyn/Hatfield Green Corridor?

8. NPPG states that local planning authorities may wish to prepare an authority wide green infrastructure framework or strategy (8-029-20160211). This should be evidence based by including an assessment of current green infrastructure provision that identifies gaps in the network and the components and opportunities for improvement (8-029-20160211). The draft Local Plan states that the Welwyn Hatfield Green Infrastructure Plan 2011 ('the GI Plan') provides an overview of existing green infrastructure assets within the Borough and sets out an assessment of the functions of the green infrastructure to provide multiple environmental and social and some cases economic benefits (12.31). The draft Local Plan continues by saying that the GI Plan considers opportunities for enhancement and the creation of green infrastructure and outlines a series of potential projects to deliver the multifunctional benefits whilst providing advice on taking green infrastructure proposals forward through spatial planning policies (12.31).
9. However, the 2011 GI Plan is out of date as it does not take into account the full enhancement opportunities and potential projects that exist at Ellenbrook Fields and consequently policy SP12 in the draft Local Plan is not based on up to date evidence (158, NPPF) and is therefore unsound. In addition, the draft Local Plan does not properly recognise the inter authority implications of Ellenbrook Fields, particularly as it crosses administrative boundaries with St Albans and the Council should work more collaboratively with St Albans to consider how wider strategies for their areas can help address cross-boundary issues and help meet the duty to cooperate (8-029-20160211).
10. Ellenbrook Fields was never expected to act as a major visitor attraction or country park as it has limited public access and facilities. The main users were anticipated as local residents from both the established housing areas near the site and the newer residential areas developed on the main sector of the former airfield. Presently, the status of Ellenbrook Fields does not warrant a designation on the draft Local Plan policies map as it is not Urban Open Land or a Historic Park and Garden.
11. In addition, Ellenbrook Fields does not meet many of the essential and desired criteria for country parks as set out within the Government's guidance (published October 2014) and neither is it currently intended to. The essential and desired criteria for country parks are:
  - at least 10 hectares in size;
  - defined by a clear boundary (marked on a map, whether it is open or fenced in);
  - accessible (less than 10 miles from a residential area);
  - free to enter;
  - inclusive and accessible (show how you've met equality and disability needs and provided for varied groups);
  - predominantly natural or semi-natural landscape, for example woodland, grassland,

wetland, heathland or parkland, with no more than 5% of the area built upon (excluding car parks);

- signposted and easy to navigate (visitors should be shown where they can go and what they can do and directed along footpaths, bridleways and cycle routes);
- visibly staffed, for example, litter collection and maintenance;
- available for public and educational events;
- near to public toilets, either onsite or a two minute walk away; and
- informed by the local community (the public should have some influence over the management and development of the park)
- a visitor centre
- play facilities
- catering
- bike and horse trails
- art and sculpture
- permanent staff presence during the day
- detailed information available to visitors, for example leaflets
- brown and white tourist directional signs and shown on an OS map
- activities outside, for example, water sports and adventure sports
- achieved, or is working towards, Green Flag Award, status
- a green transport policy, for example, buses and cycle routes to your site
- facilities for less able visitors, for example, easy trails, seats and information available in accessible formats
- planning for the management of biodiversity, geodiversity and preservation of the historical environment
- opportunities for practical community involvement, for example, volunteering
- promoted the health benefits of walking
- an outreach programme promoting your site to less represented sectors of the community
- a programme of events and guided walks, promoting healthy living and environmental awareness.

12. However, the enhanced proposals for Ellenbrook Fields that can be delivered as part of the HAT2 allocation could meet many of the above criteria and so the draft Local Plan should plan more positively for green infrastructure enhancement opportunities and work collaboratively with St Albans to deliver an enhanced offer with the following additional benefits (as set out on page 22 in appendix A of our Regulation 19 representations):

1. A **larger area of new woodland** than was originally envisaged, which will provide a mixed canopy and a more diverse woodland ground flora in the designated Watling Chase Community Forest;
2. enhanced biodiversity benefits through the creation of the new series of green links running east-west, which were not originally envisaged, providing greater **ecological connectivity between woodland to the west and wetland habitats** to the east;
3. greater opportunities for open access and recreation including a new Forest Village Green, offering a **more diverse range of recreational activities and sporting facilities** than what were originally proposed;

4. culverted section of the Ellenbrook stream across the centre of the country park will be opened up, **creating valuable new stream habitat**, native vegetation, habitat connectivity and providing visual interest; and
  5. providing **real opportunities for open access and recreation**, including the provision of parking facilities.
13. As a reminder from our regulation 19 representations, the HAT2 proposals are fundamentally interrelated on a comprehensive green infrastructure strategy supported by up to date evidence carried out in 2015 and 2016 as shown on the extract below of part of our regulation 19 representations.

**THE PROPOSALS**

The proposed development is a community of 1,100 high quality new homes and supporting infrastructure.

The Forest Village vision includes mostly medium to low density development offering a mix of housing types, catering for families, and first-time buyers, including affordable homes.

A village centre will be located within the 'Central Village' incorporating a community building, units for retail and business use, and a primary school.

The plan on page 9 sets out the overall concept for the development.

**Green Infrastructure**

Green infrastructure will surround and penetrate the Forest Villages, providing different types of public open space, including sports pitches, allotments, and semi-natural green space.

A series of green links will run east-west, helping to define the three village areas, and provide ecological connectivity between woodland and wetland habitats to the east and west of the Site, that are currently unconnected:

- A northern green link, acting as a flood plain for the Ellenbrook stream and providing an area of semi-natural green space
- A central green link, allowing for the retention of an area of existing semi-improved grassland. It will also accommodate a village green and sport pitches, which will be used for public events and activities
- A southern green link, providing semi-natural green space in the form of retained open grassland habitat. This will provide an interface with future open space as part of the minerals restoration and a habitat for ground nesting birds such as skylarks

The existing Ellenbrook stream, running along the eastern site boundary, will be retained as a key landscape feature/green corridor. Culverted sections of the Ellenbrook stream across the centre of the Site will be opened up, creating valuable new stream habitat, native vegetation, habitat connectivity and provide visual interest.

Woodland is core to the development proposals and to the Country Park; it will create a setting for the residential areas and provide a diverse range of habitats. The existing woodland to the west of the Site will be retained and enhanced through ongoing conservation management, aimed at maintaining a mixed canopy and a diverse woodland ground flora. New clumps of trees and blocks of woodland will be created within areas of green infrastructure.

Existing boundary vegetation will also be retained and enhanced, helping to integrate the development into the landscape and provide habitat links. Mature trees and hedgerows along the western and northern site boundary are particularly important in screening the development from Astwick Manor and providing a new defensible Green Belt boundary.

The green infrastructure proposals have been fully informed by extensive ecology surveys carried out in 2015 and 2016, including a desk study, habitat survey and ecological appraisal, botanical survey, and surveys for protected species (bats, water vole, nesting birds, great crested newts, and reptiles).

This work has identified a range of opportunities to retain and enhance the biodiversity value of the Site. These include:

- Conservation management of woodland at Home Covert and Round Wood Local Wildlife Site
- Retention and enhancement of an area of semi-improved grassland within the south of the Site, including the provision of areas inaccessible to people and dogs in order to provide nesting habitat for birds such as skylark
- Creation of a mosaic of habitats, including trees and woodland, grassland and wetland, which will provide habitats of value to various birds that are species of principal importance
- Creation of east-west habitat corridors linking wetland and woodland to the east and west of the Site respectively
- Using a largely native species mix within any new planting
- Installation of bat and bird boxes within new buildings and on retained trees