

**Examination of the Welwyn Hatfield  
Local Plan**

**Council's Statement for the  
Stage 5 Hearing on  
Tuesday 6 November 2018**

**Green Belt Review**

Prepared by  
Welwyn Hatfield Borough Council and LUC

29/10/18

# 1 METHODOLOGY

## 1.1 Method of analysis

### **Q1. Why has a different methodology to that applied at stage 2 been applied to common areas and with different results?**

- 1.1 A different approach has been applied for the Stage 3 Study (**EX88A-D**) to take direct account of the Inspector's Hearing comments (**EX39**). LUC's approach was informed by the need to:
  - avoid incorporation of landscape character assessment;
  - identify essential areas to retain in Green Belt;
  - consider the relationship between sites and wider countryside;
  - consider subdivision of larger sites; and
  - consider the extent to which Green Belt would be compromised by loss of land from it (in part, in entirety or in combination with other sites).
- 1.2 Given the Inspector's concerns, LUC felt that a new assessment using a revised methodology would be more appropriate than attempting to review the results of the Stage 2 work and extend it to other areas using the same methodology.
- 1.3 The Inspector's Hearing comments also stated a need to ensure that all potential development land adjacent to the urban areas was assessed to a sufficient level of detail. LUC felt that there was a need for a consistent approach across all land being assessed, rather than excluding Stage 2 sites leaving irregular gaps in coverage.
- 1.4 The Stage 2 study provided ratings for the contribution to different Green Belt purposes but then used a separate summary commentary to note other factors which might have a bearing on the Green Belt impact, such as the strength of boundary that could be achieved. To provide a clearer measure for site comparison the Stage 3 study provides a single concluding rating of potential harm from releasing land from the Green Belt; a rating which includes a consideration of the contribution to the NPPF purposes (as per Stage 2) but also the potential effect on the integrity of the wider Green Belt and residual Green Belt boundaries.
- 1.5 Given the methodological differences, it is inevitable that there are some variations in contribution ratings between Stage 2 and Stage 3, but where covering comparable areas they are largely consistent. The Stage 3 Study goes a step further in assessing overall harm and also considers sub-site and cumulative scenarios, providing more information on the variations of harm adjacent to the urban areas.

**Q2. Should the assessment have been undertaken in the context of the revised Framework? Does that choice materially affect the study's outcome? Is the overall approach, looking at the most essential Green Belt, the correct one in the context of Government advice?**

- 1.6 The study was prepared in the context of the 2012 NPPF. The revised NPPF was published while the report was still in draft so the references to NPPF policy were updated accordingly in the report. There were no changes to the NPPF that necessitated any changes to the methodology or which could materially affect its results. The main differences between the 2012 and 2018 NPPF are:
- 1) Paragraph 136 of the revised NPPF states that local authorities should alter Green Belt boundaries only where exceptional circumstances are 'fully evidenced and justified'.
  - 2) Paragraph 137 requires that the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development' before concluding that the exceptional circumstances exist, specifically whether the strategy:
    - makes as much use as possible of suitable brownfield sites and underutilised land;
    - optimises the density of development...including whether policies promote a significant uplift in minimum density standards in town and city centres, and other locations well served by public transport; and
    - has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.
  - 3) Paragraph 138 states Local Planning Authorities should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.
  - 4) There is confirmation that cemeteries, burial grounds and allotments should not be regarded as inappropriate development.
- 1.7 There have been no changes to the five long-standing purposes of including land in Green Belt and the remainder of the provisions regarding protection of the Green Belt remain largely as set out in the 2012 NPPF, confirming the government's ongoing commitment to protecting land within the Green Belt.
- 1.8 The identification of areas of 'most essential Green Belt' in Chapter 9 of the Stage 3 Green Belt Study was undertaken at the request of the Inspector and provides information on which areas are likely to lead to very high harm to the Green Belt if they were released. The report does not draw conclusions on what is deemed to be 'essential Green Belt' because as stated in para 9.2 of the Stage 3 Report, it is difficult to state in absolute terms that any Green Belt is critical enough to deem it essential without setting its functional value alongside the demand/need case and sustainability/environmental considerations.

- 1.9 The identification of ‘**most** essential Green Belt’ does not negate the fact that the Study has identified others areas of land also perform a strong Green Belt role and that their release could cause high levels of harm. What the Study does do however is provide clear evidence on the variations of harm that may occur which can be considered alongside wider sustainability, deliverability and viability issues.

**Q3. Is the process of “assessing harm from development” rather than “the performance of an area against the purposes of the Green Belt” an appropriate approach?**

- 1.10 As outlined in para 3.82 of the Stage 3 Green Belt Study, the assessment of ‘harm’ does directly consider the contribution of an area to the Green Belt Purposes, both in terms of:
- The contribution the land considered for release makes to the Green belt purposes in its own right.
  - The potential affect the proposed release of land may have on ability of neighbouring areas of land to contribute to the Green Belt purposes.
- 1.11 Consideration of the performance of an area against the purposes of the Green Belt is therefore **integral** to the assessment of harm.
- 1.12 This approach is consistent with the case law on the matter, notably *Calverton Parish Council v Greater Nottingham Councils & others* (2015), which found that planning judgments setting out the ‘exceptional circumstances’ for the amendment of Green Belt boundaries require consideration of the ‘nature and extent of harm’ to the Green Belt.

**Q4. Why are sites that are assessed the same in the purposes analysis graded differently in the context of harm?**

- 1.13 The assessment of harm considers the impact on integrity of the remaining Green Belt land, and strength of remaining GB boundaries, as well as the contribution of the land in question. There is potential for sites that make a similar contribution to Green Belt purposes to have differing levels of impact on the Green Belt boundary and on the integrity of adjacent Green Belt – e.g. because of the differing sizes of sites.
- 1.14 Based on LUC’s extensive experience of undertaking Green Belt assessments, the nature of the variables involved in the judgement does not lend itself to rigid criteria in which, say, matrices can be used to determine overall ratings of harm. As recognised by the Inspector (**EX39**): *‘there is no clear ranking of considerations either with respect to the different Green Belt purposes or with regard to all the relevant considerations used to determine the suitability of land for development in National Policy. The weight to be given to the different considerations is therefore a matter of rational professional judgement.’*

**Q5. Would the use of a traffic light based analysis be a more appropriate way to assess the contribution a site makes to the Green Belt?**

- 1.15 LUC believe a traffic light approach where an overall 'red' rating is given to any parcel/site that makes a significant contribution to any one purpose, or 'green' if it makes no contribution and then to assume that all 'red' areas constitute essential Green Belt to retain is too simplistic. It would not provide the necessary level of clarity on how the sites/parcels compare in relation to each of the five purposes. In the case of the findings of this study, all parcels/sites would score red.
- 1.16 As outlined in para 3.82 of the Stage 3 Green Belt Study, LUC believe that in order to assess the relative performance of Green Belt land, it is necessary to assess the harm of releasing land from the Green Belt taking into account not just contribution associated with the release of the site itself, but also the potential effect on the integrity of neighbouring areas of Green Belt and the strength of remaining Green Belt boundaries.

**Q6. Why was there a need for protracted dialogue between the Consultants and the Council, both before and after the study was undertaken?**

- 1.17 In responding to the Inspector's Stage 2 Hearing comments the study had a number of different elements to address, so it is to be expected that dialogue would take place between the Council and LUC to agree the study aims and objectives and the format of the final outputs.
- 1.18 The first draft of the report published in May 2018 was not a full draft of the report, as the study was undertaken in stages. The introductory chapters and the assessment of parcels / development scenarios were undertaken first. Later drafts of the report then included the assessment of 'essential' Green Belt and the assessment of areas of opportunity (in Green Belt terms) for new settlements. The various draft reports took longer to prepare than first anticipated due to a greater number of parcels and development scenarios being assessed than originally estimated (all of which required a desk based assessment and site visits). Dialogue took place between the Council and LUC at the draft report stages to ensure that all of the study requirements had been addressed and that the report outputs were clear.
- 1.19 LUC considered Council comments on draft findings, but there was no suggestion by WHBC that any ratings should be changed against LUC's professional judgement. LUC value their professional integrity very highly and the conclusions reached in the study are based on LUC's professional opinion.

**1.2 Parcel selection**

**Q7. Was a common methodology applied when identifying parcels for analysis? If not, why not?**

- 1.20 A consistent approach was applied. As stated in the Stage 3 report (para 3.60), LUC defined '*parcels that reflect distinctions in the relationship between settlement and countryside, where possible bounded by recognisable features*'.

- 1.21 Where subsequent parcel analysis identified variations in contribution within a parcel, boundaries were altered accordingly. LUC's view is that parcels should reflect variations in contribution to Green Belt purposes, rather than allow arbitrary parcel definitions to have an influence on contribution ratings.
- 1.22 The fact that the methodology allowed for subdivisions of parcels/sites to be identified to reflect variations in harm means that the size of parcels did not unduly influence harm ratings.
- 1.23 Parcels were identified adjacent to inset settlements and washed-over settlements which were identified as having the potential to be inset. The proposed Symondshyde site was also identified as a parcel at the request of WHBC, as it was felt that the findings of this site would be of interest to the Inspector.

**Q8. Has the assessment achieved sufficient granularity throughout the area of study - i.e. have small parcels that contribute to the Green Belt purposes differently, from the overall assessment of a larger parcel in which they are located, been isolated and assessed on an individual basis everywhere where such division is appropriate?**

- 1.24 Yes, sufficient granularity has been achieved. LUC's methodology used the identification of 'development scenarios', with separate harm ratings and supporting analysis, to add granularity where there was judged to be variation in the potential harm of GB release.
- 1.25 Green Belt is a strategic designation and there is a need to ensure that assessment only focuses on Green Belt issues. Some of the concerns raised in the representations would be more appropriately considered as part of a landscape sensitivity assessment – considering issues such as the condition of land and a more refined analysis of the role of landscape features (e.g. hedges) in affecting intervisibility between a site and the urban area or the wider countryside. Green Belt should not be considered in isolation when determining the most appropriate land to release to meet housing need, so the weighing up of environmental/sustainability factors, the level of need and the deliverability of sites will all combine to provide a more nuanced overall picture.

**Q9. Should the assessment have taken into account the size of individual parcels when assessing the impact of their release on the contribution they make to Green Belt purposes?**

- 1.26 The size of a site was in some cases a factor when assessing *harm* resulting from release of land, in that release of a larger area, whether a single large site or a cumulative group of smaller sites, has more potential for greater impact on the integrity of the remaining Green Belt. However the impact of site size may be negated by other considerations, such as the existence of a strong distinction between a site and the wider countryside. Similarly the release of a small site may cause significant harm in Green Belt terms if it has strong separation from an adjacent urban area. It can be seen, therefore, that there is

not a linear relationship between site size and Green Belt harm, and for this reason site size was not isolated as a distinct element in the analysis of harm.

**Q10. Why have some stage 2 sites been amalgamated such that some of the parcels are now larger than some of those used in Stage 2 in the same location?**

- 1.27 Parcels were defined with the intention of reflecting variations in contribution to the Green Belt purposes, not to distinguish individual Stage 2 sites. As stated in the Stage 3 report (para 3.60), LUC defined 'parcels that reflect distinctions in the relationship between settlement and countryside, where possible bounded by recognisable features'.
- 1.28 Where LUC judged contribution to the Green Belt to be consistent, there was no need to identify separate parcels. LUC's methodology used the identification of 'development scenarios', with separate harm ratings and supporting analysis, to add granularity where there was judged to be variation in Green Belt harm associated with release of different sites or other sub-areas within a parcel.
- 1.29 Stage 2 sites within a Stage 3 parcel were not assessed as separate development scenarios if there was not considered to be any reduction in harm, other than in cases where it was felt to be helpful to identify the reasons for the rating, even if harm was the same as the larger parcel.

### 1.3 Mitigation

**Q11. Has the potential impact of mitigation, to reduce the impact of development on a particular site on openness, between the proposed development sites and other potential sites been objectively applied?**

- 1.30 As outlined in para 3.82 of the Stage 3 Green Belt Study, without a clear definition of the scale, type and design of development within different Green Belt locations, the harm assessment is based on the assumption that the openness (in Green Belt terms) of a defined area will be lost. Given the varying degrees of detail and lack of certainty in development proposals for different sites, it is not practical or reliable to take these into account in a consistent or proportionate manner.
- 1.31 Table 10.1 in Section 10 of the Stage 3 Green Belt report identifies potential measures which could have some influence on Green Belt harm, but typically the impact of such mitigation e.g. landscaping works will relate more to sustainability / environmental considerations than reducing Green Belt harm.
- 1.32 Where mitigation does have potential to reduce harm, the degree of reduction would also depend on factors that were considered too specific to analyse in the context of the Stage 3 study – e.g. length of time for landscaping measures to take effect, seasonal variations in impact and potential adverse impacts on landscape or settlement character, or economic considerations. For these reasons LUC consider this level of analysis to be more appropriately undertaken at a later stage in the process of determining new development locations.

1.33 It is recognised that in three instances mitigation was mentioned in parcel/site assessment outputs, but in none of these cases did it affect the harm ratings that would have been given had the comments not been included:

- The P21a development scenario notes, in explanation of its *moderate* harm rating, that this reduced harm in comparison to the wider parcel would result from limiting development to the plateau with “... *sufficient set-back [from the ridge crest] or screening tree cover to avoid encroachment on the valley...*”. However, the mapped area of harm for P21a reflects an area of the plateau which, if released, would in LUC’s judgement result in *moderate* Green Belt harm regardless of any screening planting.
- The assessment for P25 mentions that the “*introduction of landscaping works to create a strong buffer to the north of the A414 could potentially reduce harm to a limited extent...*”, but goes on to state that the extent of this impact would be too limited to reduce the parcel’s *moderate-high* harm rating. The rating did not change.
- The P27b development scenario notes that “*There is no existing physical feature to define the southern extent of the eastern part of the parcel, were it to be released, but a boundary could be created using extensive planting to link Creswick Plantation to Hollybush Lane.*” Whilst a strong landscape boundary would be desirable, LUC’s assessment for this scenario would have been the same regardless of this sentence, as a clearly recognisable Green Belt boundary can always be created. The key factor is that intrusion into the valley is avoided.

## 2 PURPOSE OF THE GREEN BELT

### **Q.12 Does the analysis effectively weigh the purposes of the Green Belt against the nature and extent of the harm?**

- 2.1 Yes. The assessment of harm incorporates an assessment of both the contribution of land to the Green Belt purposes and the potential effect of releasing land on the contribution of neighbouring land and therefore consideration of the Green Belt purposes is an integral component of LUC's assessment approach.

### **2.1 Checking the unrestricted sprawl of large built up areas**

### **Q.13 Does the analysis adequately assess the contribution that different parts of the Green Belt make to the checking of unrestricted sprawl?**

- 2.2 The concept of sprawl is not a straightforward issue to address, and one which has been interpreted in various ways in various Green Belt assessments. Paragraphs 3.18-3.24 of the Stage 3 Green Belt Report set out LUC's approach to the analysis of this purpose. LUC see it as largely consistent with Purpose 3, the prevention of encroachment on countryside, in that land which is preventing sprawl is also preventing encroachment, but with the key difference being that it is specifically relevant only to 'large built-up areas' (as stated in the NPPF). This places additional weight on the value of open land next to major settlements, recognising the fact that Green Belts were typically established in relation to one particular urban area that was driving development expansion – i.e. London in the case of the Metropolitan Green Belt.
- 2.3 Welwyn Hatfield contains no settlements defined as 'large, built up areas' and paragraphs 4.14-4.20 of the Stage 3 Green Belt Report set out the justification for why it has been concluded that the land within the Borough does not contribute to preventing the sprawl of any nearby large built up areas (e.g. London, Cheshunt and Stevenage.) It is recognised, given that "*The underlying purpose of the Metropolitan Green Belt is to prevent the spread of London...*", that "... *at a fundamental strategic level most Green Belt can be considered to contribute to this purpose*" (paragraph 4.15). However this is considered (paragraph 4.16) to be an indirect contribution, achieved by preventing the spread of other settlements, and/or by preventing the loss of countryside, with land closer to the large built-up areas making a direct contribution to the purpose.

### **2.2 Preventing neighbouring towns from merging**

### **Q14. Why has the concept of intervisibility between built up areas not contributed to the analysis?**

- 2.4 Intervisibility is an element in the analysis. The Stage 3 methodology states (at para 3.71) the need to consider intervisibility, and the criteria definition (see Table 3.4) notes the role of '*separating features*', which can compensate for a narrower gap, and '*connecting features*', such as a strong visual connection, which may make a wider gap seem narrower.
- 2.5 Lack of direct intervisibility does not indicate a lack of significant contribution to this Green Belt purpose – for example where a gap is physically very small and/or where transport links mean that there is little perceived separation.

**Q15. Is the methodology used to assess a site's contribution to purpose 2 appropriate? Does it underscore land that is clearly a part of essential urban gaps between settlements if they are already partly urbanised?**

- 2.6 A judgement needs to be made as to whether urbanisation in, or affecting the Green Belt, has diminished perceived separation to an extent that remaining open land makes a relatively weak contribution. If clear separation remains, then remaining open land is conversely likely to play a stronger role as Green Belt. The methodology employed is appropriate for making such judgements.

**Q16. Has the existence of development in adjacent districts been objectively included in the assessment?**

- 2.7 Development in adjacent districts was considered – with reference to settlements which are relevant in terms of settlement separation (discussed in para 3.27 and paras 4.21 to 4.33 of the Stage 3 report) and with regard to relevant allocated development (notably the East Herts allocation EWEL1 on the south-eastern edge of Welwyn Garden City).

**Q17. Why was Wheathampstead excluded from the analysis?**

- 2.8 Wheathampstead was not excluded from the analysis. It was not considered to constitute a tier 1 settlement in the context of the purpose 2 assessment as it is a village as opposed to a town, however the methodology recognises (at paras 3.30 and 3.71 of the Stage 3 report) the role that smaller urban settlements can play in the perceived separation between towns.
- 2.9 Para 4.31 of the Stage 3 study refers to Wheathampstead's position as a settlement between Harpenden and Welwyn Garden City, as do some of the detailed assessments, but determines that this gap is relatively strong. Therefore, because in no instance is it judged to contribute to a parcel making more than a limited/no contribution in relation to this gap between the tier 1 towns, Wheathampstead is not always referenced in the parcel assessments.

## 2.3 Safeguarding the countryside from encroachment

### **Q18. Has “the protection of the countryside from encroachment” been objectively analysed?**

- 2.10 Yes, in accordance with the methodology set out at paras 3.73-4 of the Stage 3 report, and with reference to the considerations set out at paras 3.31 to 3.39. If land is lacking in countryside characteristics, whether from built development within the parcel, urban-fringe land uses or as a result of proximity to development which has a significant urbanising influence, it has been assessed as making a less than significant contribution to this purpose, but as the strategic assessment in Chapter 4 concluded (Stage 3 report para 4.35): *‘For the most part land within the Borough outside of inset settlements is open and rural, and therefore contributes to this purpose.’*
- 2.11 LUC’s methodology doesn’t distinguish between different ‘degrees’ of countryside beyond considering urban influence, as this would stray into assessing the impact on landscape character (a concern specifically noted in the Inspector’s Stage 2 hearing comments **(EX39)**). If land further from an urban area is, for example more ‘rural’ and tranquil we see this as a landscape sensitivity issue to be considered as part of the overall analysis of the most appropriate locations for development (alongside other sustainability issues).

### **Q19. Is landscape character, rather, than openness, an appropriate indicator by which to assess and compare the extent to which sites prevent the countryside from encroachment?**

- 2.12 The assessment doesn’t incorporate an assessment of landscape character; the assessments refer to the ‘characteristics of open countryside’ rather than character. Openness alone does not consider the extent of urbanising influence. Any development reduces visual openness to a degree but consideration has to be given as to whether that development has characteristics, e.g. in terms of built form and density, which constitute an urbanising influence.

### **Q20. Has the impact of development at Symondshyde been objectively assessed in the context of its contribution to meeting the Green Belt purpose of preventing the countryside from encroachment i.e. independently of the reasoning associated with its selection as a site for a new settlement?**

- 2.13 LUC’s response to Question 18 above sets out the approach taken to assessing the purpose of preventing countryside encroachment. This has been applied objectively to Symondshyde. There may be landscape or other sustainability considerations which would influence the ‘ranking’ of Symondshyde against other potential Green Belt release sites, but these do not form part of the Green Belt harm assessment.

**Q21. Should a logical assessment of purpose 3 have resulted in similar ratings being given to urban edge land as to sites in the middle of the countryside?**

2.14 LUC's response to Question 18 above sets out the approach taken to assessing the purpose of preventing countryside encroachment.

## 2.4 Preserving the setting and special character of historic towns

**Q22. Why is this assessment different to that undertaken at Stage 2? Does it materially affect the effective use of the overall data or the comparative findings of the study?**

2.15 LUC's methodology differed because they disagreed with the approach used in the Stage 1 and Stage 2 assessments, which based its analysis on the proximity of heritage assets rather than on any assessment as to whether particular settlements constitute 'historic towns' (to which the Green Belt land contributes to their special character or form part of their setting).

2.16 The Stage 2 assessment identified two sites which were considered to make a *significant* contribution to this Green Belt purpose, and a further seven which were considered to make a *partial* contribution. In seven of these cases, the reason was relationship with a Registered Park or Garden, whilst the others related to a listed building and to a Conservation Area. LUC consider all of these cases to be relevant to an assessment of cultural heritage impact rather than of Green Belt contribution or harm.

2.17 An extract from Hansard in 1988 clarifies which historic settlements in England were considered 'historic towns' in the context of the Green Belt purposes. The Secretary of State for the Environment clarified in answer to a parliamentary question that the purpose of preserving the special character of historic towns is especially relevant to the Green Belts of York, Chester, Bath, Oxford and Cambridge<sup>1</sup>. Durham has since been added to this list.

2.18 LUC's study did go beyond this and consider the historic role of Welwyn Garden City, providing analysis (at paras 4.38-40 of the Stage 3 report) to support its inclusion. This approach, which was welcomed by Historic England in their response to the Welwyn Hatfield consultation, identified four parcels as making a *significant* contribution with regard to this purpose and 13 parcels as making a *partial* contribution.

## 2.5 Assisting in urban regeneration

**Q23. Is it appropriate to assess Purpose 5 (assisting Urban Regeneration) in the same way for all sites?**

2.19 Paras 4.43-4.49 of the Stage 3 GB report explain why the Study has not assessed Purpose 5 on a site-by-site basis. This is an approach which has

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<sup>1</sup> Hansard HC Deb 08 November 1988 vol 140 c148W 148W; referenced in Historic England (2018) Response to the Welwyn Hatfield Local Plan – Green Belt Review – Stage 3

been adopted in numerous Green Belt Assessments and has been accepted at Local Plan Examinations.

- 2.20 It is recognised that the larger settlements are likely to have more land that could be considered to require urban regeneration, but it does not follow that only Green Belt land close to the larger settlements would contribute significantly to this role. As LUC state in para 3.44 of the Stage 3 report: *'it is debatable whether development pressures operate at a sufficiently localised level to draw out meaningful judgements on the relative contribution of discrete parcels of Green Belt land to Purpose 5.'*

## 2.6 Local purpose

**Q24. What is actually meant by “maintaining the existing settlement pattern”?**

**Q25. Why is it essential to maintain the existing settlement pattern?**

- 2.21 The Draft Local Plan sets out a series of borough-wide strategic objectives. Objective 1 is:

“To provide for the borough’s development needs over the plan period, in a form which maintains the existing settlement pattern, protects areas of highest environmental value, prevents coalescence of our towns and villages and releases a limited amount of land from the Green Belt to ensure that its boundaries will not need reviewing before 2032.”

- 2.22 The existing settlement pattern has a spatial aspect and a functional aspect.
- 2.23 The borough’s existing settlement pattern can be described as a network of towns, villages and other settlements. This dispersed pattern of settlements is characteristic of much of Hertfordshire.
- 2.24 The borough has two towns as well as a number of large and small villages providing a mix of urban, suburban and rural areas. The two towns and eight of the borough’s existing villages are inset (excluded) from the Green Belt. The gaps between the borough’s towns and inset villages and the areas of countryside around these towns and villages are all currently designated as Green Belt (with the exception of one Area of Special Restraint – ASR – at Panshanger). The borough’s smaller villages and other small settlement areas are all washed over by the Green Belt. Whilst all the borough’s towns and villages are separated from each other by the Green Belt, existing gaps vary from location to location and some gaps are very narrow (and fragile) in certain instances.
- 2.25 The borough’s settlements perform different roles and functions effectively comprising a settlement hierarchy. The Local Plan defines the effective settlement hierarchy categorising the borough’s settlements according to their

role and function and their ability to sustainably accommodate new development.

- 2.26 In the above context, and on the most basic level, maintaining the existing settlement pattern requires that settlements are prevented from coalescing (in part or in full) and that their role and function within the overall settlement hierarchy is not fundamentally altered or compromised.
- 2.27 The Council initiated consultation on the Local Plan in 2009. A key theme which emerged through the 2009 Issues and Options Consultation and which has been consistently repeated in subsequent consultations and engagement is that the borough's communities want to protect the character of its settlements, which means maintaining them as distinctive places and preventing their coalescence.
- 2.28 Whilst it is recognised by the Council that maintaining a particular settlement pattern is not one of the national Green Belt Purposes, the public perception is that the Green Belt is there to maintain the gap between settlements. It was an explicit objective of preceding (countywide) structure plans and local plans to protect the settlement pattern. As acknowledged in the Green Belt Review (GB/1), the Green Belt has hitherto been the key means of achieving this by protecting the gaps between settlements.
- 2.29 Notwithstanding the outcomes of community engagement or any contribution that the gaps between the existing settlements make to the national Green Belt purposes, the Council considers that there are sound planning and sustainability reasons which support the objective of maintaining the existing settlement pattern. These have been expounded earlier in the Local Plan examination as part of the debate on the Council's overall development strategy the spatial aspect of which is set out in Policy SP3 of the Draft Local Plan.

**Q26. Should the local settlement pattern have been a consideration in the assessment of Green Belt purposes? Does its inclusion distort the outcome of the analysis into preventing neighbouring towns from merging?**

- 2.30 It is incorrect that the local settlement pattern has been a consideration in the assessment of the national Green Belt purposes. LUC has assessed the contribution of each parcel in the study to the five national Green Belt purposes. LUC have separately assessed the contribution of each parcel to the local purpose. These are discrete standalone assessments.
- 2.31 The local purpose has not factored into the assessment of Green Belt purpose 2. Purpose 2 deals only with towns. Purpose 2 considers the role of smaller settlements in the larger gaps between towns, but does not consider the contribution of gaps between smaller settlements in their own right.

- 2.32 Some Green Belt Reviews carried out on behalf of other Councils have assessed the potential for coalescence between all settlements as part of NPPF Purpose 2. LUC has not done this because such an approach is not consistent with national policy, which refers specifically to ‘preventing neighbouring towns from merging’. The local purpose comprises a completely separate strand of analysis as explained in earlier stages of the examination.
- 2.33 The assessment of the local purpose is consistent with the approach taken in Stage 1 and 2 Green Belt reviews and the Inspector has acknowledged that it is legitimate to consider the contribution of Green Belt land to a local purpose, as long as it is given less weight than the national purposes (Inspector’s letter **EX39**). It is also noted that a range of representors also support the application of a local purpose recognising it as a legitimate consideration in Welwyn Hatfield, particularly the need to take into account gaps between villages and between villages and towns.
- 2.34 The harm ratings in the Green Belt Study are based on the consideration of three factors as set at paragraph 3.82 of the main report. This includes NPPF Green Belt Purposes but excludes the local purpose.
- 2.35 The only exception to this is where LUC have sought to identify very-high harm parcels, the methodology for which is outlined in para 3.98. In accordance with the Inspector’s guidance, less weight has been applied to the local purpose than to the national ones.
- 2.36 The local purpose only impacted LUC’s conclusions for parcels 2, 3, 65 and 78 as set out in Table 9.1 which contains LUC’s ‘most essential green belt’ conclusions.
- 2.37 The local purpose was not taken account of in the majority of harm assessments only in assisting LUC to identify whether such a local consideration might tip the harm rating from a high harm site to very high harm and therefore deemed most essential.

**Q27. Is the methodology used to assess a site’s contribution to the Local Purpose appropriate? Does it underscore land that is clearly a part of essential urban gaps between settlements if they are already partly urbanised?**

- 2.38 LUC’s approach to the local purpose (as described in the Stage 3 Study methodology at paras 3.51-3.53 and 3.77-3.79) is fundamentally the same as the approach to Purpose 2, the separation of towns, except in terms of the size of settlements that are considered. The methodology does not define gaps between inset villages, or between villages and towns, as ‘essential’. It is stated in paragraph 3.98 that “*A particularly significant contribution to the local purpose would not, in isolation, be sufficient to warrant ‘high harm’ and ‘most essential’ status.*”

- 2.39 Whether the issue is the extent of urbanising development within a gap, the size of the remaining gap, or both of these, there is a judgement to be made as to where the tipping point is between a narrow gap making a significant contribution, because it is the only remaining separation between settlements, or making a partial contribution because of the extent to which that separation has already been lost.

**Q28. Why have the green gaps between Hatfield and Welham Green and Welham Green and Potters Bar been assessed differently?**

- 2.40 It is the lack of separation between Hatfield and Welham Green along Travellers Lane that reduces the contribution of remaining open land in P56 to *partial*. Had there been a clearer gap between the settlements, land in that gap would have made a stronger contribution. In terms of overall harm ratings, the release of P56 as a whole, or Stage 2 site Hat11, is still assessed as having *high* harm, recognising its role as countryside but also the role of smaller settlements within the gaps between the towns of Hatfield and Potters Bar. There are reduced release scenarios reflecting existing urbanising development and the role of higher ground in preserving settlement separation that have lower harm ratings.
- 2.41 There is clearer separation between Welham Green and Brookmans Park, and between Brookmans Park and Potters Bar, but nonetheless the gaps are narrow, so the land accounting for most of the settlement separation – P65 and the western part of P78 – makes a significant contribution to the Local Purpose. Contribution to the gap between the towns of Hatfield and Potters Bar in combination with the open countryside characteristics of the parcels makes their harm ratings *very high*, but reduced release scenarios in both parcels are recognised as having lower harm.

**Q29. What weight is to be given to preserving the existing settlement pattern in any redefinition of Green Belt boundaries and the revised strategy?**

**Q30. How does the Council intend to take the “Local Purposes Assessment” forward?**

- 2.42 Decisions in relation to the redefinition of Green Belt boundaries and the revised development strategy will be based on a full range of planning and sustainability considerations.
- 2.43 Where decisions are to be taken about whether to remove a particular piece of land from the Green Belt, as well as the suitability of the site for development and any infrastructure issues, consideration will also need to be given to:
- harm caused to the Green Belt as a result of removing that land from the Green Belt
  - any other harm caused as a result of removing that land from the Green Belt.

- 2.44 The local purpose is relevant in respect of the second consideration. It is therefore appropriate that it should inform decisions on which sites the Council might choose to take forward. However, the Council is clear that the local purpose is not a national Green Belt purpose and should therefore not be treated as such. It is recognised that the level of weight to be afforded to the local purpose should be lower than that afforded to the national Green belt purposes.
- 2.45 The Green Belt Study assesses the contribution of land to the local purpose entirely separately from the national Green Belt purposes and therefore the assessment of the local purpose and the national Green Belt purposes stand completely separately and transparently.
- 2.46 It is anticipated that the local purpose could be used to help differentiate between comparable sites of the same national Green Belt purposes rating/harm rating. The weight given to the local purpose in the decision making process will be set out in an updated Housing Sites Selection Paper. In the same way as the existing Housing Sites Selection Paper June 2016, the updated paper will detail the balancing exercise that informed decisions over which sites to include in the plan and which to omit.

**Q31. How is the “desire” to maintain the local settlement pattern to be incorporated into the plan’s policies?**

- 2.47 The Council's 'desire' to maintain the local settlement pattern is set out in the Draft Local Plan borough-wide strategic objectives. Objective 1 is:
- To provide for the borough’s development needs over the plan period, in a form which maintains the existing settlement pattern, protects areas of highest environmental value, prevents coalescence of our towns and villages and releases a limited amount of land from the Green Belt to ensure that its boundaries will not need reviewing before 2032.*
- 2.48 This objective, together with a range of other key objectives, will be achieved through the delivery of Local Plan as a whole, particularly Policy SP3 which outlines the Settlement Strategy for the borough and the future approach to Green Belt boundaries. The allocations within the plan are consistent with this strategic direction of policy SP3.
- 2.49 It is not considered that a standalone policy is necessary in relation to the maintenance of the borough’s settlement pattern.

## 2.7 Openness

**Q32. Keeping land permanently open is a distinct and separate function of the Green Belt from the purposes. Should a differentiation, in the context of openness, between the extent to which sites/areas are visually open therefore be specifically included in the assessment?**

- 2.50 The NPPF identifies openness as an ‘essential characteristic’ of Green Belt, rather than a function or purpose. Openness is therefore seen as a key element in the assessment of all Green Belt purposes. Land that lacks openness will play less of a role in preventing sprawl, separating towns, preventing countryside encroachment or providing a setting to a historic town.
- 2.51 Openness in Green Belt terms is not the same as visual openness (as discussed in LUC’s Stage 3 methodology at para 3.14). It is considered that over-emphasis on visual openness can produce misleading results in terms of the assessment of Green Belt harm – e.g. placing too much emphasis on: the urbanising influence of development which is visible from a site, rather than directly affecting it; or on the screening impact of features whose influence may vary seasonally and with management practices (e.g. hedgerows).

**Q33. Should there have been a separate stand-alone assessment of the contribution of each site to “openness”**

- 2.52 As noted in LUC’s response to Question 32, openness plays a fundamental role in all the Green Belt purposes, so where this has an influence, it has been noted in the assessment.

**Q34. Does the analysis objectively assess the harm to the Green Belt’s openness in the context of Symondshyde new settlement?**

- 2.53 Yes. LUC has identified the significant contribution made by Symondshyde to preventing countryside encroachment, but the strength of its containment by woodland to the north and west, and the extent of separation from the nearest urban area, limit the harm to the wider Green Belt.
- 2.54 As noted in the response to question 18 regarding encroachment on the countryside, if land further from an urban area has a stronger countryside character, this is seen as a landscape issue rather than a Green Belt harm issue.

**2.8 Washed-over settlements**

**Q35. Is the methodology used to review washed-over settlements consistent with national guidance?**

- 2.55 There is no national guidance to follow. LUC’s approach, as set out in paras 3.54 to 3.58 of the Stage 3 report, makes reference to the NPPF and is consistent in terms of its assessment of contribution and harm, with the assessment of other land parcels.

**Q36. Has the future of the “washed over settlements” been objectively assessed?**

- 2.56 Paragraph 140 of the NPPF states that *‘If it is necessary to prevent development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the*

*village should be included in the Green Belt.* An objective assessment was therefore undertaken (see Appendix 5.1 of the Stage 3 GB Report) of whether the open character of the washed over settlements makes an important contribution to the openness of the Green Belt.

- 2.57 As noted in the Stage 3 report (at para 5.8), LUC did not draw conclusions regarding the 'future' of the washed over settlements, i.e. specifically recommending whether they should be inset, as it was noted that there may be non-Green Belt reasons why this may not be appropriate.

### 3 ESTABLISHING NEW GREEN BELT BOUNDARIES

**Q37. Should there be a defined point in the hierarchy of harm to the Green Belt beyond which there is a presumption that development of sites would result in substantial harm to the purposes of the Green Belt, whatever the other circumstances are and consequently they should not be even considered as possible development sites? If so where should that point lie?**

- 3.1 The Council has debated this matter but has yet to form a view and will carefully consider the discussion on this point at the hearing session.
- 3.2 The Calverton Test states that the harm to the Green Belt should be mitigated to its lowest extent and the Inspector's letter (**EX39**) has made it clear that very exceptional circumstances would need to exist where there are directly comparable sites which would otherwise remain in the Green Belt.
- 3.3 The Calverton Test also refers to the scale of the need being a factor which should be taken into account. This implies that a balancing exercise should take place where the extent of the harm should be weighed against the scale of the outstanding need.
- 3.4 Paragraph 7.8 of the Study notes that impact on the Green Belt is only one factor to be taken into account when deciding where development should best be located. Environmental and sustainability considerations are also important. It states that '*...it may in practice be that locations which will result in the least overall harm, will in fact be ones which do significantly harm the Green Belt.*

**Q38. Is it the Council's intention to define a new Green Belt boundary, independent of the site allocations process and based on the results of the Green Belt Studies?**

- 3.5 Paragraph 83 of the NPPF 2012 states that exceptional circumstances are required to alter the Green Belt boundary. It is the Council's view that exceptional circumstances exist only to meet the need for employment and housing growth and any change to the boundary will therefore be limited to the site allocations process.