

Welwyn and Hatfield Borough Council
Draft Local Plan - Examination in Public

Green Belt Review (Stage 3)

Statement on behalf of Landform Estates Ltd (WeG6)

This Statement has been submitted on behalf of Landform Estates Ltd. A joint representation on behalf of the Promotors at Welham Green has been submitted separately.

1.0 INTRODUCTION

1.1 At the end of Stage 2 of the Hearing Sessions of the Examination, the Inspector identified a need for further work in relation to the Green Belt. This has now been completed by the Council's

1.2 The subject of the statement is the Green Belt Study Stage 3 (EX88).

1.3 Landform is promoting site WeG6 which sits within Parcel 59. The site has been assessed as being suitable, available and achievable for residential development in Welwyn and Hatfield Borough Council's (WHBC) Housing and Employment Land Availability Assessment (HELAA) 2016.

2.0 GREEN BELT REVIEW

2.1 The Council has published a revised Objectively Assessed Housing Need (OAHN) of 16,200 dwellings and this has been accepted as the OAHN. The Council in the submission draft plan claimed constraints, notably Green Belt, but also education capacity at Welham Green as justifying a level of provision substantially below the OAHN.

- 2.2 It has been our submission that education provision ought not be used to justify failing to provide the identified homes to meet OAHN. that we need. In addition, we have submitted a scheme for the provision of a new school, in tandem with further development at Welham Green, in so far as the Inspector considers education capacity is material and justifies setting a housing requirement below OAHN.
- 2.3 The Council accepts that Green Belt will need to be released to increase the level of housing provision to meet OAHN. This is a justified exceptional circumstance. Therefore, the question is to what degree should the Green Belt be amended and where best should new housing be accommodated?
- 2.4 The Council has commissioned a Green Belt review undertaken by LUC. By definition, all land that is currently designated as Green Belt must perform a Green Belt function, or it was erroneously designated in the first instance. The Green Belt review seeks to assess the performance of land parcels against the Green Belt function, reaching a conclusion of the Green Belt function of the site. We have a number of concerns with the Green Belt Assessment, as set out below:
- the Green Belt assessments of purposes and harm are inconsistent with each other;
 - LUC use different assessment Parcels to that of the previous Green Belt study prepared by SKM, which makes sensible comparison almost impossible;
 - the LUC graphics do not provide the wider settlement view, so that the reader cannot easily understand how the sites are scored, and the logic behind the scores of the gradings of Green Belt purposes and harm are inconsistent; and
 - the subjective nature of the review of harm makes a transparent assessment impossible, leaving the reader with no ability to cross check the findings.
- 2.5 In addition to the points raised above, it should be noted that the Green Belt is not a landscape designation and it does not seek to evaluate the quality of the countryside protected as such or its contribution to local landscape or townscape character.

- 2.6 The objective of the Green Belt policy is to prevent urban encroachment into what would otherwise be open countryside. The LUC exercise (p.29 Table 3.5) extends the factors into qualitative landscape considerations in terms of strengthening or weakening the relationship of the countryside to the settlement or the contribution of the land use to those factors. Whilst it may be sensible to consider such wider factors under this head, the council must be careful (a) to avoid any double counting with any landscape or townscape character assessment which may feed into the final high level decision and (b) to recognise that most sites considered at the urban edge are open countryside in terms of land use so that loss of countryside per se should not of be given great weight unless it scores under the assessment for its wider landscape/townscape etc qualities discussed above. There is a danger in giving loss of countryside far greater weight as a consideration in this sort of exercise than would be given to a site with equivalent landscape qualities on the edge of the settlement unprotected by Green Belt allocation.
- 2.7 The summary of concerns noted are considered in more detail in the accompany SLR Landscape note (**Appendix 1**).
- 2.8 We can understand the reluctance to test the assessment of each and every site. However, the Green Belt Review is in essence a qualitative assessment of each site and then seeks to provide a platform for comparison. However, if the conclusions reached in respect of one site are incorrect then the comparison does not hold true. This is important. The Council's position is that it cannot provide for the full OAHN without substantial harm to the Green Belt. Failure to provide for the OAHN results in an under provision of new homes with the resulting social and economic impact this brings. The Government is committed to delivering more homes. Therefore, each and every site could make a contribution to meeting OAHN. The benefit of provision must be weighed against the harm to the Green Belt of release, which by definition is harmful. Consequently, the balancing exercise between harm to Green Belt and provision of the required housing can only be undertaken on a site by site basis.
- 2.9 In terms of the assessment of Site WeG6/Parcel 59 (Parcel 59a), the accompanying SLR Landscape analysis confirms the site has been incorrectly graded and instead it should be scored as no higher than **low-moderate** harm.

3.0 SUMMARY

- 3.1 In addition to the concerns raised with the Green Belt Assessment noted at paragraph 2.4 of this Statement, it is our consideration that the review should be a qualitative assessment of each site and if the conclusions reached in respect of one site are incorrect, then the comparison does not hold true. This matter goes to the heart of the assessment and indeed the legal soundness of the plan as a whole.

Attendance at the Examination in Public

- 3.2 It is anticipated that Mark Lowe QC (Cornerstone Chambers), Iain Painting (Barton Wilmore) and Julian Cooper (SLR) will attend the Examination on behalf of Landform Estates Ltd.

Appendix 1 – SLR Landscape Note

BARTON WILLMORE

18 September 2018