

Regulation 19 Representation Submission – Cllr Paul Zukowskyj

1. Many of my issues with the submitted local plan have been covered in other sessions or by the inspector's comments and requests to the council for revised information. I do not intend to revisit those if I feel there is nothing further to add or the report is silent. The following response is therefore limited to commentary relevant to the report and the process of utilising that evidence in an appropriate way going forwards.

Support for Green Belt report

2. It is clear that every respondent will come to their own conclusions about the way green belt policy and assessment of impacts and harm should be undertaken and the results arrived at will always require subjective planning judgement or opinion. Each individual will assess the criteria and choices in different ways, however viewing this process dispassionately, any one person's judgement on subjective interpretation of policy is as worthy as another, assuming a minimum level of competence.
3. On balance, therefore, I support the findings of the report on the green belt as submitted at EX88. The consultants have made some judgements and arrived at some opinions that differ from my own, however I believe these are subjective differences on the whole and for the most part I can fully understand and appreciate the validity of the expressed judgements and opinions.
4. I therefore accept the ratings and assessments of parcels across the area as being a reasonable and objective assessment of the contribution to green belt and development harm if the parcel is released.
5. There are, however, some issues with specific sites/parcels I want to raise and these are covered in the next section.

Criticism of specific assessments in the Green Belt Report

Issue 1.

6. The assessment of parcels 55, 56 and 56a and 56b seem to me to be somewhat less than robust in their assessment of the contribution of the various parcels to the local purpose of the greenbelt and the 'defensibility' of the revised boundary should the sites be released.
7. It is clear from the description that the A1001 boundary is felt, rightly, to be a very strong and defensible boundary, however if the boundary is changed it is not clear from the description what the current status is of the line of the proposed boundary.
8. In fact, in one instance, that of Hat11, the current boundary is only definable on a map, the boundary does not even follow an existing fenceline. This change from a robust, clear, defensible boundary to one that relies on a developer creating a new line with a proposed development is, I feel, not appropriately considered in the report. The potential for a developer to start to treat the boundary as porous is, I believe, significant.
9. There is a serious disjoint with the stated categorisation of 'very high harm' as outlined in paras 3.98 in the report. This states: "Areas of 'very high harm' were identified where there was [...] A particularly strong impact on the defined Green Belt boundary". I personally cannot imagine a stronger impact on a green belt boundary than a change from a 60mph A-road embedded in a very substantial cutting to an arbitrary line on a map without even a fenceline for distinction.

10. The assessment of the local purpose of the green belt of 'partial contribution' also seems to me to underplay the situation. The location would be very highly visible for many of the residents of Hatfield and users of the A1001, and the perception of closure of the green belt between southern Hatfield and Welham Green would be profound should this area be developed in any way.
11. This goes to the essential characteristic of green belt of openness. This point was well argued at the public inquiry into the New Barnfield EfW proposal by Welwyn Hatfield's legal counsel. The perception of the public would likely be the merger of Welham Green and southern Hatfield, irrespective of the status of the actual gap between the settlements.
12. How the authors can describe this significant reduction in a narrow gap between two settlements as playing a partial contribution to that settlement pattern is unexplained.

Issue 2.

13. Parcel 57 also seems to have been under-assessed. The impact of development in this parcel would undoubtedly mean a significant perception of loss of openness. This section of open land is the sole section between Welham Green and southern Hatfield for all road users using the A1001.
14. If development takes place there will be no apparent gap between the two settlements, the perception will be that they have merged. Built form will be the sole view from vehicles travelling between the two settlements.
15. This merger issue was clear enough that the actual merger area, travellers lane, was closed to through traffic when the industrial estate was originally developed. The release of this parcel will effectively deliver that merger in practice, undermining the original intention to keep the settlements separated in the view of road users.
16. The assessment of P1 also seems to contain a fundamental error, in that the assessment of 'limited or no contribution' seems to be based on it's separation from a large built up area, however on a boundary of over 1km in length the site is separated from the built form of the industrial area by the sole width of the roadway and the east coast main line which is twin track at that point. The typical distance separating the parcel from buildings is under 50m, which seems very small to be described as "distant".
17. The local purpose also seems poorly assessed. The assessment of the change in settlement pattern of 'limited or no contribution' seems bizarre, given the positioning between two settlements of the site and the impact it would have on the apparent urban connection of the two settlements.
18. If the issues above are accounted for, it would seem a more appropriate assessment of the harm from release of this parcel would more appropriately be moderate-high in relation to how other parcels have been assessed.

Suggestion for modification of the submitted plan in light of the green belt report

19. With the provisos included above about the two specific sites, I would suggest the green belt report is accepted in its entirety as a robust, objective and defensible assessment of green belt housing site availability in Welwyn Hatfield.
20. What follows from that should, in my opinion, be a determination by the council of the relative weight of need compared to harm.
21. It is clear the Government are expecting the council to deliver 16,000+ houses in the plan period unless other evidence suggests an over-riding policy reason they should not be delivered. One policy that should be part of that assessment is Green Belt.

22. The council should, in my opinion, determine what level of harm it considers 'substantial' and remove all sites assessed at or above that level from the plan. In my opinion, that level should be 'moderate-high'. It is clear if harm will be moderate to high it is significant and therefore the weight given to that should also be significant. If the council decided it considered substantial harm to the green belt occurred if moderate-high harm occurs, that to me would seem a defensible position.
23. All sites appropriately promoted and with a lower level of harm should be considered for release from the green belt, of course subject to other policy tests such as effective and economic availability of educational resources, among others.
24. From that process would come a land bank, and based on that land proposed for release would come a housing number, which might or might not reach the FOAHN.
25. The justification for the council to not attain its FOAHN, assuming it fell short, would then be policy based, robust and defensible, in that the appropriate application of green belt policy had reduced the harm on the green belt to a level where the public needs were appropriately balanced, in line with the approach outlined in the NPPF.
26. Council officers have suggested that planning balance on specific sites should vary, apparently dependent on the intended land use allocation of that location should it be removed from the green belt. An example would be a school site in a particular parcel being the justification for release of a higher-harm location. I do not agree with this approach as it pre-determines a planning application decision that would seem to depend on very special circumstances.
27. All planners are fully aware that change of use applications are frequent and sometimes very difficult to defend. Allocating sites for release on the basis of intended land use is therefore inappropriate. There is no certainty a release would be put to the intended use and unlike very special circumstances there isn't the certainty of a planning application to rely upon.
28. Release of green belt should therefore be based on the expectation that any parcel is needed for residential housing and the determination of whether a site should be released is solely housing need versus harm, be that to green belt or other harms.

Paul Zukowskyj 5/9/18