

**WELWYN HATFIELD LOCAL PLAN  
EXAMINATION**

**GREEN BELT STUDY STAGE 3**

**Comments by Jed Griffiths MA DipTP FRTPI**

**On Behalf of**

**North Mymms District Green Belt Society**

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## **Introduction**

1. This report has been prepared by Jed Griffiths MA DipTP FRTPI, Principal of Griffiths Environmental Planning, Hertford, on behalf of the North Mymms District Green Belt Society (“the Society”). It is made in response to the Welwyn Hatfield Green Belt Study Stage 3, prepared by Land Use Consultants for the Borough Council and published in August 2018 (document EX88B).
2. It is understood that Hearings to discuss the findings of the Study have been arranged for the 6<sup>th</sup> and 7<sup>th</sup> November 2018. Stage 6 of the Hearings, to address the proposed developments in and around villages, is programmed provisionally for the week commencing 10<sup>th</sup> December. The comments contained in this report are concerned specifically with the Green Belt Study, and the Society will elaborate on these points during the November sessions. Wider planning issues concerning the village policies will be addressed at Stage 6.

## **Background and Context**

3. The Society notes the background to the Study, as set out in Chapter 1, and the scope of the additional work required by the Inspector. The aims and objectives of the Study clearly address the issues raised by the Inspector. As such, the Study is said to represent an independent professional review of the Green Belt in Welwyn Hatfield. From page 2 of the final report (document EX88B), it is apparent that the first draft was completed by 21<sup>st</sup> May 2018. The final report, however, was not available until 23<sup>rd</sup> August. From this, it seems that the Council has had an input into the final version of the Study, which may have determined the published findings. The Society questions whether the Study represents a truly independent view.
4. The Society endorses the statement in paragraph 1.12 that “it is not the purpose ....to identify potential sites of suitability for housing development.” As pointed out below (see paragraph 35) it is unfortunate that the consultants included analysis of all Stage 2 sites and other housing allocations in their assessments.
5. From the brief, it is clear that the Study did not undertake any cross-border assessment with adjoining authorities. In North Mymms, there are important cross-boundary issues to be considered, as pointed out by the Society in its previous representations. Hertsmere Borough Council has embarked on Stage 1 of a Local Plan Review; one of the options includes the release of Green Belt land to the north of Potter Bar, on the borders of Welwyn Hatfield. This matter must be considered at some stage of this Examination.

6. In Chapter 2, there is a description of the evolution of the Metropolitan Green Belt in Hertfordshire. This is largely correct, but there are some omissions to the story. No mention, for example, is made of MHLG Circular 50/57, which gave the direction to local authorities to determine Green Belt boundaries within their areas of administration.
7. Reference is made in paragraph 2.11 to the role of the Greater London Development Plan in influencing the full extent of the London Metropolitan Green Belt. It is true that the former London County Council, and that document, had some influence. The more definitive regional context, however, was provided by the Strategic Plan for the South East (SPSE), published by the London and South East Regional Planning Conference in 1970. Approved in principle by the Government in 1971, SPSE set the context for the preparation of the Hertfordshire County Structure Plan in the 1970s. The basic philosophy for planning of the county was to contain the growth spiral generated by London, whilst protecting the countryside.
8. The evolution of the Green Belt in Hertfordshire and in Welwyn Hatfield is described in the Study at paragraphs 2.13 – 2.16. As noted, the approved County Structure Plan in 1979 established in principle the designation of the Green Belt at about 12 – 15 miles deep, with limited extensions along the main route corridors. Prior to the preparation of the Structure Plan, as noted in paragraph 2.14, the extent of the Green Belt had been established in the First Review of the Hertfordshire County Development Plan, formally approved on 11<sup>th</sup> May 1971. This document was itself subject to a review in a non-statutory document, Hertfordshire 1981, which set out comprehensive planning policies and proposals for the period prior to the formal approval of the Structure Plan in 1979.
9. It is interesting to reflect that the then Minister, in approving the First Review of the Development Plan, proposed that the whole of rural Hertfordshire should be treated as though it were Metropolitan Green Belt, pending the submission of the Structure Plan. This policy was also absorbed into Hertfordshire 1981 and was applied by the County Council and the ten newly-formed District Councils until the approval of the Structure Plan in 1979.

10. In the initial draft of the County Structure Plan, submitted to the Government in 1976, the County Council proposed that the blanket Green Belt policy should be formalized. This, however, was rejected by Ministers, who directed that the Green Belt should be 12 – 15 miles from the edge of Greater London. In the revised Structure Plan, the outward extent of the Green Belt was established as such, but with the limited “fingers” along the main route corridors. The Study does not make it clear, but the detailed outer and inner boundaries of the Green Belt were established in the District Plans adopted by all ten of the Hertfordshire District Councils by 1982.
11. As noted in the Study, Green Belt policy in Hertfordshire was applied consistently for two decades, as shown by the reference to the most recent County Structure Plan, adopted in 1998. Regrettably, there is no reference to the role of regional policy in providing the overall context for local policies. The revival of regional planning in the 1980s led to the publication in September 1990 of “A New Strategy for the South East” by the Regional Conference for London and the South East (SERPLAN). This document, in an amended form, was subsequently adopted by the Government in 1993. Later, in the Planning and Compulsory Purchase Act 2004, a formal system of regional planning for England was established, leading to the preparation of the East of England Plan. An essential element of this plan, and the London Plan, was the continued maintenance of the Green Belt around London.
12. The Study provides useful summaries of national policy, recently updated in the revised National Planning Policy Framework, of Green Belt work in neighbouring authorities, and of case law. There is brief reference to the role of Neighbourhood Plans, but only one area has been designated in the Borough. The Society believes that the Borough Council should give more encouragement to local communities to prepare Neighbourhood Plans. This practice has been adapted by many local authorities, including East Hertfordshire District Council and enables communities to determine the extent of housing development for local needs.

## **Methodology**

13. The Society notes the methodology for the Study, as set out in Chapter 3. The seven tasks seem logical, and fulfil the Inspector’s requirements for the scope of the exercise. Identification of the absolute environmental constraints is an essential first step, but some allowance should be made for the indirect impact of potential development on environmental and heritage assets, e.g. within one kilometer of a Site of Special Scientific Interest (SSSI).

14. Task 2 was an important stage, where the consultants attempted to gain an understanding of the strategic role of the Green Belt in the Borough. There is a good discussion on the concept of “openness”, which is recognized as a key characteristic of Green Belt. It is disappointing, therefore, that a stand-alone assessment of openness has not been carried out as part of the Study.
15. The focus of the work is on a detailed assessment of the Green Belt in Welwyn Hatfield against the five stated purposes, now set out in paragraph 134 of the NPPF. This approach is similar to the methodology used in Stage 2 of the Green Belt Review, and has been used many times by local authorities in areas of Green Belt. Promoted by the Planning Advisory Service (PAS), it leads to an extremely rigorous and detailed examination of the performance of the Green Belt, but perhaps at the expense of the strategic overview.
16. There is a detailed discussion of each of the five purposes in paragraphs 3.17 – 3.53 of the Study, focusing on the definitions of the terms used in the NPPF. In the Society’s view, this is overly elaborate, and leads to an unnecessary degree of detail and confusion in the body of the assessment.
17. In paragraph 3.20, there is an attempt to define what is meant by a “large built-up area”. The consultants’ view is that the primary reason for the designation of the Metropolitan Green Belt was to “control the sprawl from London, Luton, Cheshunt, and Stevenage.” In fact, the singular reason for the designation of the Metropolitan Green was to control the outward spread of Greater London. This purpose is common to all the areas of Green Belt in Welwyn Hatfield, so therefore the assessment against Purpose 1 could have been omitted.
18. In the view of the Society, the two key purposes of the Green Belt are Nos. 2 and 3. Although the former clearly refers to towns, it is apparent from practice that this purpose does seek to prevent the merger of settlements as well as towns. In terms of Purpose 3, it is clear that the Green Belt has successfully prevented the encroachment of urban development on the Hertfordshire countryside.

19. It is debatable whether the fourth purpose should be included in the assessment. As the PAS guidance has stated, this relates to very few settlements in practice. The purpose was originally included in Circular 42/55 to protect the special character of the classic English towns and cities, such as Oxford, Cambridge, Chester, and York. Each of these towns has its own Green Belt. In Hertfordshire, only St. Albans has this national status, but the city is enclosed by the Green Belt. In Chapter 4, it is considered that Welwyn Garden City should be termed an historic town for the purposes of the Study. In the view of the Society, this should be rejected, especially as the original core of the 1920 Garden City has been enveloped by post-war development. There is no need to include this purpose as part of the assessment.
20. Common sense has prevailed to some extent in the assumption that all Green Belt in the Borough makes a significant contribution to Purpose 5. The logical step would have been to omit this from the assessment. Instead, it is included in all the tables, which is unnecessary and is confusing to the reader.
21. The Society has supported the local purpose of the Green Belt to maintain the existing settlement pattern. As explained by the consultants, the assessment of this purpose was only applied to the settlements already inset into the Green Belt. For North Mymms, consideration is therefore given to Hatfield, Brookmans Park, Welham Green, and Little Heath. This does allow for the gaps between these settlements and smaller ones to be reflected on their own merits.
22. In summary, it is apparent that the detailed consideration of each of the five national purposes, plus the local purpose, has led to an unnecessarily complex assessment process. Three of the national purposes should have been omitted from the assessment. The focus should have been on Purposes 2 and 3, together with the Local Purpose. Consideration of the Local Purpose could have been combined with Purpose 2.
23. The third task, to assess the “washed over” settlements was included at the behest of the Inspector. Detailed comments on the results are set out below in this report, but it is important to consider why many settlements in the Borough were “washed over” and were not inset from the Green Belt.

24. The policy to inset certain settlements from the Green Belt originated in the County Structure Plan, which was supported by a comprehensive Rural Settlements Study. In his letter to the Council, the Inspector cites the Structure Plan reference to “distinct and diverse communities, each capable of supporting an appropriate range of housing, employment, leisure, and shopping facilities.” This is the basis by which the sixteen settlements in the Local Plan were “washed over” by the Green Belt. Comment on the consultants’ is set out below in the response to Chapter 5.
25. The methodology for Task 4, with the ratings of Green Belt Contributions, is a well-trodden approach. As argued above, the assessment would have been far less complex had it omitted consideration of Purposes 1, 4 and 5 and focused on Purposes 2 (combined with the Local Purpose) and 3. With 95 assessment parcels, there are bound to be questions about the choice of boundaries and the consistency of analysis between the parcels. The Society makes some detailed comments on individual areas below in response to Chapter 6, but only on Green Belt grounds. More comprehensive views on proposed development allocations will be made at Stage 6 of the Examination.
26. Task 5 assesses the potential harm to the Green Belt from the release of land adjacent to the inset settlements. Ultimately, as stated in paragraph 3.83, this analysis depends on the professional judgement applied by the consultants. The Society accepts this and the caveats applied to Task 5. There is another set of judgements to be made, however – particularly by local residents, and by the Council and by local community groups, including the Society.
27. The final two tasks complete the Study and deliver the outputs required by the Inspector. Detailed comments on these aspects are set out below in response to Chapters 8 and 9 of the Study.

### **Strategic Assessment**

28. The strategic assessment of the Green Belt role is contained in Chapter 4 of the Study. The discussion of the relationships between settlements and the countryside and of the essential characteristics is somewhat generalized and could have been more incisive. In paragraph 4.11, there is the only mention of the Royal Veterinary College, as a “sizeable development within the Green Belt.” There is no discussion of its future role.

29. The bulk of the strategic assessment is against the five purposes of the Green Belt as set out in the NPPF. As discussed above, the analysis against Purposes 1, 4, and 5 is largely unnecessary. The Study acknowledges in paragraph 4.15 that its underlying purpose is to prevent the spread of London. In Welwyn Hatfield, all parts of the Green Belt serve that purpose. References to Stevenage and Cheshunt are superfluous against Purpose 1 – the relationships are picked up in Purpose 2.
30. Under Purpose 2, there is a more comprehensive consideration of the gaps between neighbouring towns, including the gap between Hatfield and Potters Bar. The importance of the gaps between intervening inset settlements is acknowledged and welcomed by the Society. This point is developed under the discussion of the Local Purpose, where reference is made specifically to the gaps between Hatfield and Welham Green, Welham Green and Brookmans Park, and Brookmans Park and Potters Bar. The Society recognizes the depiction of the fragile gaps which are shown on Figure 4.1 of the Study.

### **“Washed Over Settlements”**

31. The Society has examined the findings of the assessment of the “washed over” settlements as set out in Chapter 5 and Appendix 5.1 of the Study. The basis of the assessment – the contribution of the settlement to the openness of the Green Belt – is set out in paragraphs 5.3 – 5.6. The quotation from the NPPF (paragraph 140) makes it clear that if the village has an open character which contributes to Green Belt purposes, then it should be included in the Green Belt. In terms of whether a settlement should, or should not, be excluded (i.e. inset) from the Green Belt, there is also the consideration about its status and distinctiveness as a community (see paragraph 22 above).
32. It is noted that seven of the sixteen settlements are identified for further assessment. In most of these cases, the Study has used the Green Belt parcels as the units for the assessment. Not surprisingly, the densely-developed central core of these settlements shows up as making a low contribution to the Green Belt and a low degree of harm from release. From this, other parcels are included so as to provide a more complete analysis.

33. Three of the sixteen are located in North Mymms. Water End is recommended to be retained as a washed over settlement – this is welcomed by the Society. Swanley Bar and Bell Bar are two of the seven settlements considered for further investigation. In the case of Swanley Bar, the Study recognizes that there would be little scope for further development. The Society will elaborate on this point at Stage 6 of the Examination Hearings, but would stress that Swanley Bar has none of the facilities and services which would raise its position in the settlement hierarchy.
34. Bell Bar is a low density residential settlement and does not have the range of facilities and services to merit its exclusion from the Green Belt. It is not a village, as described in the Study.
35. The Society strongly disagrees with the Study's assessment of Bell Bar. The boundaries of the parcels are arbitrary and would not provide strong Green Belt boundaries for the future. In the Society's view, the area in and around Bell Bar does contribute significantly to the openness of the Green Belt. Although there are a number of houses within the parcels, most of these have large gardens. The settlement is also well-wooded and contributes much to the rural character of the area to the north of Brookmans Park.

### **Contribution Assessment Findings**

36. The Society has studied in detail the assessment findings set out in Appendix 6.1 and summarized in Table 6.1 and Figures 6.1 – 6.5. Altogether 26 of the 95 parcels (P55 – P80) are in North Mymms. The Society will not comment on all the individual parcels at this stage, but reserves its right to make representations on specific sites at Stage 6 of the Hearings.
37. One general point needs to be lodged. In paragraph 1.12, the report states that it is “not the purpose of this study of this study to identify potential sites for housing development.” Yet, the assessment of many (but not all) of the parcels is broken down into an analysis of the Stage 2 housing allocations and other Local Plan proposals contained within those areas. In the Society's view, this exceeds the consultants' brief and is contrary to the purpose described above.

## **Harm Assessment Findings**

38. In view of the sensitivity of the Green Belt in North Mymms, it is not surprising that the assessments of harm for most of the parcels are rated at least as moderate-high. The yellow parcels or sub-parcels are largely those which are covered in built development or very small (such as parcel P77). On Marshmoor (parcel 57), the Society fundamentally rejects the harm rating of moderate-low. As set out in earlier representations on the Submission Local Plan, the Society believes that Marshmoor is a critically important part of the Green Belt to the south of Hatfield. In the assessment of parcel 58, the East Coast railway line is described as a “well-defined Green Belt boundary”. This conclusion should equally be applied to Marshmoor
39. From the inspection of the harm assessment findings, and of Figure 7.1, it is apparent that the Study attaches far more importance to the gap between Brookmans Park and Potters Bar than the equally critical gap between Welham Green and Hatfield. The significance of the latter has been highlighted by the Council on a number of occasions, including its objection to the New Barnfield waste incinerator proposal.

## **New Settlement Release**

40. The Society notes the conclusions on the possible release of land for a new settlement. The conclusion on land at the Royal Veterinary College is strongly supported. In overall terms, it is clear that there is little or no scope for the development of a new settlement in the Borough, given the sensitivity of the Green Belt as a whole.

## **“Most Essential” Green Belt**

41. The Society notes the conclusions of the Study in Table 9.1 and shown on Figure 9.1. In particular, the identification of the gaps between Welham Green, Brookmans Park, and Potters Bar is supported. The specific parcels described (most of P65 and part of P78), however, are only part of the more extensive gap between the two towns. A more detailed comment on the importance of this area is set out in the conclusions below. The exclusion of the gap between Welham Green and Hatfield is anomalous, as it is a critical to the separation of the two settlements, despite the urbanizing influences at New Barnfield, the crematorium, and the University park-and-ride site.

## Conclusions

42. The conclusions of the study in Chapter 10 confirm the view of the Society, namely that the critical functions of the Green Belt in Welwyn Hatfield relate to Purposes 2 and 3 of the NPPF. The principal purpose of the Green Belt is to prevent the outward spread of London and arguably all parts of it fulfil that function. Neither the fourth nor the fifth purposes have any relevance for the Borough.
43. In terms of the assessment of the “washed over” settlements, it is clear that they make a significant contribution to the openness of the Green Belt. The Society questions the analysis with regards to Swanley Bar in that the core area in parcel P79 is an isolated housing development, where it is appropriate to include it within the Green Belt. At Bell Bar, the low density character of the settlement does make a significant contribution to the openness of the Green Belt. The suggestion that it should be released is rejected – there is no supporting network of facilities and services.
44. The Society welcomes the identification of the gaps between Welham Green and Potters Bar as “most essential” Green Belt. Nevertheless, the whole of the gap between South Hatfield and Potters Bar should be protected, including the narrow gap between South Hatfield and Welham Green, also Marshmoor, Bell Bar, and Swanley Bar.
45. In Chapter 3 of the Study, there is a discussion which highlights the importance of the openness of the Green Belt, both spatial and visual openness. For the most part, the assessments carried out are concerned with spatial openness, particularly in the commentary on the strategic function of the Green Belt. Visual openness, however, is equally important. In this respect, the Society would wish to highlight the continuum of openness along the line of the A1000 Great North Road. From the south at Little Heath to the edge of South Hatfield, the impression to the road is of open countryside, punctuated by woodland. This is a direct result of a long-standing application of Green Belt policy by the Borough Council and its predecessors. Any development along this corridor, including Swanley Bar, Bell Bar, and Marshmoor, would severely affect the integrity of the Green Belt.

46. The commentaries on the potential measures to mitigate harm and the beneficial uses of Green Belt are noted, but at the same time it is clear from paragraph 10.13 that there could be substantial harm to the Green Belt. Only 12.4% of the parcels assessed are in the moderate, moderate-low, or low categories. In these circumstances, it is questionable as to whether “exceptional circumstances” do exist to justify the release of Green Belt sufficient to provide for the objectively-assessed housing needs of the Borough.

47. The Society welcomes the opportunity to comment on the Study, and will hope to elaborate on its response at the Hearings in November. More detailed views on individual allocations and sites will be tendered at the Stage 6 Hearings.

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Hertford

17<sup>th</sup> September 2018