

## **WELWYN HATFIELD LOCAL PLAN DPD EXAMINATION: NOVEMBER 2018**

### **Further Statement from CPRE Hertfordshire**

#### **STAGE 3 GREEN BELT REVIEW**

1. I am Stephen Baker, DMS, BSc, Dip TP, MRTPI, Planning Manager at Campaign to Protect Rural England, Hertfordshire (CPREH).
2. This statement relates to the Inspector's invitation via the Programme Officer's email of 3 October 2018 to comment on the soundness of the methodology employed in Welwyn Hatfield Council's latest Green Belt Review (Welwyn Hatfield Green Belt Study Stage 3 - Examination Documents EX88 A to D).
3. CPREH understands that the Council has not decided how the Study will be interpreted and used in responding to the issues raised by the Inspector at the end of Stage 2 of the Examination.
4. In accordance with the Inspector's invitation, we are limiting our comments to the methodology devised and used by the Council's consultants in a Stage 3 Green Belt Study.
5. We are however, likely to wish to participate in discussion at the November Hearing session on several aspects of the Green Belt Study, including the methodology and interpretation of national Green Belt policy and purposes, and the findings of the Study on 'washed-over' settlements, harm to the Green Belt, new settlements, and 'essential' Green Belt.

#### **The Inspector's Note**

6. The Inspector provided the Council with his thoughts on how further consideration of the value of Green Belt in the Borough could assist in ensuring that the Local Plan could be made sound, in a Note (EX39). In that note the Inspector referred specifically to his wish to be informed about which areas of Green Belt were 'essential areas to retain' in the Green Belt.
7. Whilst we do not necessarily agree with all of the comments made by the Inspector in his Note, and may wish to comment on these at the Hearing in November, the thrust of the Note is clear. In our view it seeks objective information on which parts of the Green Belt in Welwyn Hatfield that might otherwise be removed from the Green Belt to facilitate

development are too important to be taken out in terms of national Green Belt policy irrespective of the consequences of not meeting need and demand for development.

### **Issues of principle in Green Belt Study 3**

8. We accept at face value that Green Belt Study 3 (The Study) sought to address the issues raised in the Inspector's Note, and in a way that was as consistent as practical with the previous Stage 1 and 2 studies. There are however a few fundamental aspects of the Study that undermine it as a whole, and its findings, that we wish to draw to the attention of the Inspector.
9. Firstly, the Final Report and Appendices has been carried out in the context of the new NPPF 2018, which is quoted throughout the Final Report. Some of the quoted provisions of the NPPF in the Study are unchanged from NPPF 2012 except in terms of their paragraph number, but the change in the context for decisions on Green Belt in local plans, set out in NPPF 2018, and reflected in the Study, is not relevant to the Local Plan being examined, as made clear by paragraph 214 of NPPF 2018.
10. Secondly, the Study methodology has been designed to provide findings on what the authors call the '**most** essential' Green Belt that must be retained. This is not what we consider the Inspector's Note asks the Council to provide. All Green Belt within the Borough that has been reviewed and is essential to remain in the Green Belt in terms of Green Belt policy and purposes should have been identified as such. That is likely to include all the areas assessed in the Study to be areas where 'very high harm' would arise, areas that contribute most to Green Belt purposes, and any other areas of strategic importance to Green Belt openness.
11. Thirdly, we consider that the methodology for review of washed-over settlements in the Green Belt is flawed and inconsistent with the methodology used for other land in the Study and in the earlier Green Belt studies, and with the NPPF.
12. Fourthly, the deliberate exclusion from the review (the Study, paragraph 3.15) of an assessment of the contribution of individual areas to the 'essential characteristic' of Green Belts being their openness (NPPF paragraph 79), inevitably results in the value of some areas not being fully recognised.
13. Fifthly, the value of what we consider to be much of the Green Belt in the Borough is not adequately addressed by the Study as a result of excluding all areas from assessment

against Green Belt purpose 1 (prevention of urban sprawl) which we consider to be contrary to both the wording and intent of national policy as set out in the NPPF.

14. Sixthly, the Methodology for consideration of Purpose 4 (setting of historic towns) is totally different to that used for the Stage 2 Study, leading to findings for the newly identified areas of land covered by the Study that are inconsistent with the findings used by the Council when preparing the Plan.
15. Seventhly, we consider that the process of assessing the 'harm from development' (task 5 of the Study) is not directly relevant to the Inspector's request to be informed of which areas of Green Belt are essential to retain. Such areas should be revealed by the assessment of the 'performance' of appropriately defined areas of Green Belt against the purposes of the Green Belt and its essential characteristics of openness and permanence. The extent of likely harm from development to different areas of Green Belt is clearly relevant in assessing whether exceptional circumstances outweigh harm to the Green Belt and to Green Belt policy (NPPF paragraph 14 and footnote 9) at any proposed specific location proposed by the Plan, but that is a different matter to what constitutes 'essential Green Belt'.
16. As a result of the above matters of principle we consider that the Study cannot be relied upon to identify which areas of Green Belt must be retained in the Local Plan irrespective of pressures for development, because the Study undervalues the contribution of much of the Green Belt land within the Borough to Green Belt purposes, openness and permanence.

### **Specific Aspects of Green Belt Study 3 Methodology**

17. In addition to the above matters of principle of concern to CPREH, there are a large number of specific aspects of the Study methodology that we consider reduce the reliance that can be placed on the Study findings, particularly in terms of which areas are 'essential' to retain. We may wish to refer to these at the hearing in November depending on their relevance to the Matters and Issues set out by the Inspector for the session.

They include the following:

- 1) The exclusion of large parts of the Green Belt from the assessment against Green Belt purposes and policy;
- 2) Inclusion of some constraints that should not have been treated as 'absolute constraints' for the purpose of defining parcels of land for assessment, but where

absolute constraints do exist within a defined parcel, the whole of the parcel should have been excluded from the Study;

- 3) Over-reliance on Planning Advisory Service (PAS) documents in defining Green Belt purposes and NPPF policy that are not an appropriate basis for the Study, particularly in terms of definitions of terms in the NPPF;
- 4) The reference to 'PAS Guidance' in paragraph 3.39 stating that urban fringe is less important to the Green Belt than open countryside, which runs directly counter to the whole concept of Green Belt and how it has been applied since the 1950's;
- 5) Similarly, the 'guidance' quoted in paragraph 3.43 fails to recognise both Green Belt purpose 5 (encourage regeneration) and how it must continue to be applied;
- 6) The definition and assessment of land parcels based on areas and sites proposed for development rather than on their inherent character;
- 7) Over-emphasis on the difference between location of an area within a settlement and within adjacent 'countryside', as many settlements in the Borough are part of the countryside, and their contribution to Green Belt purposes and openness should be recognised in that context;
- 8) 'Green Belt purpose' assessment criteria for washed-over settlements do not appear to be the same as for other parcels covered by the Study and previous studies;
- 9) The detailed (as opposed to in-principle) determining factor on whether a washed-over settlement should be considered for insetting (paragraph 5.6) should include whether its degree of openness is 'low', not that it should only be retained in the Green Belt if existing openness is 'high';
- 10) The methodology for assessing the contribution to purpose 2 (preventing merger), and the local purpose on settlement pattern, is in our opinion flawed. This is because it scores land in gaps between settlements that are already subject to urbanising influences lower than those free of such development, but the purpose necessitates greater protection is given to the former;
- 11) It is not stated what the changes to assessment criteria referred to in paragraph 3.63 were, but we would be concerned if they resulted in inconsistency within the assessment.

18. We ask that these comments be taken into account when decisions are taken on individual site allocations and if any modifications to the Plan are proposed in due course as a result of the Green Belt Study.