

Examination of the Welwyn Hatfield Local Plan

Council's Statement - Stage 8 Hearing session

Southern Settlements

Settlement: Little Heath

Policy Number: SADM32

Site References: HS24 (BrP7), HS25 (LHe1)

Matter number: 4

Issue: Green Belt

Question Numbers: Q156-166



Little Heath

Policy SADM 32 Site HS24 (BrP7) Land south of Hawkshead Road

Policy SADM 32 Site HS25 (LHe1) Land north of Hawkshead Road

Most of the following sites are within the Green Belt and the National Planning Policy Framework (NPPF) says at paragraph 136 that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation of plans. It is not appropriate to remove land from the Green Belt unless there are very sound reasons for doing so. In addition to the Borough's development needs, the justification should include considerations such as development constraints, as well as the removal's impact on the Green Belt's openness and purposes. As well as addressing the matters raised by representors and although not exclusively, the following questions are in part designed to establish what exceptional circumstances, beyond the Council's inability to identify sufficient land outside of the Green Belt in order to meet its Objectively Assessed Housing Need, exist to justify the release of these sites, in the context of the local and site circumstances.

Matter 4 Green Belt

The National Planning Policy Framework stresses that the government attaches great importance to Green Belts and says that Green Belt boundaries should only be altered in exceptional circumstances.

The Council carried out a stage 3 Green Belt Review in 2018/19 in order to ascertain the contribution that a finer grain of sites, than were previously examined, around the urban fringes within the district, made to the different purposes of the Green Belt. In this assessment the overall harm at these sites was considered to be moderate/high (HS24) and moderate (HS25) but the parcels are not identified as areas of most essential Green Belt. In these circumstances:

156) In the context of site HS25, to what extent is there a justification for land to be designated as Green Belt between Little Heath and Swanley Bar?

Welwyn Hatfield Response

- a) Little Heath is a Tier 4 (small excluded village) excluded from the Green Belt. In accordance with **Policy SP3 – Settlement Strategy and Green Belt Boundary** Little Heath is a secondary focus for a limited amount of new development where this is compatible with the scale and character of the village.
- b) Swanley Bar is a Tier 6 (small Green Belt village) that is located within the Green Belt. In accordance with **Policy SP6**, this tier of settlement is not generally suitable for further development unless it is compatible with wider Green Belt policies.
- c) National Policy (NPPF - 2012) is clear, at Paragraph 83, that Green Belt boundaries should only be altered in exceptional circumstances through the preparation or review of the Local Plan. The Council considers that there are two limited opportunities for development at Little Heath, requiring release of Green Belt land (i.e. **HS24 and HS25** – discussed further in the following questions).
- d) The Council is not aware of any justification or exceptional circumstances to release the land between Little Heath and Swanley Bar, or to remove Swanley Bar itself from the Green Belt, and does not consider that this land would be suitable for development.

157) Is the overall assessment of moderate/high harm a sound interpretation of the contribution that site HS24 makes to the purposes of the Green Belt?

Welwyn Hatfield Response

- a) No, the Council considers that the overall assessment for the site in question, in accordance with the Green Belt Study Stage 3 (March 2019 – **EX99C**) is High harm, which the Council considers is a sound interpretation of the contribution that this site makes to the purposes of the Green Belt.
- b) The Council's assessment of the development parcel that includes the proposed allocation **SADM 32 (HS24 – BrP7)** is set out in the Green Belt Study Stage 3 (March 2019 – EX99C). The entirety of the proposal falls within parcel P78, which is a larger parcel extending northwards towards Brookmans Park. The proposal site in question is more closely aligned to sub-parcel **P78b**.
- c) The 2019 study identified different 'scenarios' in order to consider variations in harm within a parcel and within proposed site allocations. Where sub-parcels were identified that would lead to differing levels of harm these are set out in the report, for example parcel P78 is sub-divided into two sub-parcels, a and b.
- d) It is important to consider the contrast in the assessment of harm between the whole of parcel P78, vs the sub-parcel that relates to the site in question, P78b. The Green Belt Study Stage 3 makes it clear that release of the whole parcel P78 would 'have an adverse effect on the integrity of the wider Green Belt, particularly to the south where the Green Belt land at Potters Bar Golf Club in the adjacent authority of Hertsmere would become nearly completely enclosed by development'. Furthermore, that 'the parcel plays a key role preventing the merging of Brookmans Park and Little Heath/ Potters Bar and would contribute towards the perception of merging between the first tier settlements of Hatfield and Potters Bar' and 'release of the parcel would also lead to the creation of an ill-defined Green Belt boundary'.
- e) However, Parcel **P78b** is a smaller area that if released from the Green Belt would have a lesser impact than releasing the whole parcel for development ('high rather than 'very high'). Whilst there is still high impact from releasing Parcel P78b the Gobions Parkland would help to retain separation from Brookmans Park.

158) Can this level of harm be appropriately applied to the entire site?

Welwyn Hatfield Response

- a) Yes, the Council considers that the level of harm identified for Parcel **P78b** can be applied to the whole site.
- b) As explained in the Council's Response to Question 157, the methodology for the Green Belt Study Stage 3, was to identify 'scenarios' in order to consider variations in harm within a parcel and within proposed site allocations. Parcel P78 is sub-divided into two sub-parcels, a and b.
- c) However, the Council's approach is in accordance with national policy and guidance and for example, gives consideration for the Calverton Test. This includes giving consideration, on a site-by-site basis for how consequent impacts can be reduced to their lowest reasonable practical extent. In the case of **HS24**, the area proposed for allocation is smaller than the site area being promoted and smaller than the Parcel **P78b** assessed in the Green Belt Study. It is considered that by reducing the site area, thus retaining some separation between Little Heath and Swanley Bar and by establishing new boundaries through master-plan led new planting that boundaries can be established of similar settlement edge and that would be robust and defensible.

159) In that context, is the allocation of this site justified, effective and consistent with national planning policy?

Welwyn Hatfield Response:

- a) Yes, the Council is confident the proposed allocation at Little Heath (SADM32 (HS24 – BrP7)) is justified, effective and consistent with national policy in accordance with NPPF (2012) paragraph 182. In particular:

***Justified** – the plan should be the most appropriate strategy, when considered against alternatives, based on proportionate evidence.*

- b) The plan has been informed by a comprehensive suite of evidence and a detailed and iterative plan making process that has considered reasonable alternatives through the Council's Sustainability Appraisal process.

***Effective** – the plan should be deliverable over its period and based on effective joint working on cross boundary strategic priorities.*

- c) As referenced in the Council's response to Question 167, the Council considers that the site is deliverable within the first ten years of the plan period following plan adoption, in accordance with a cautious but realistic timetable.

***Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.*

- d) The proposal will make a valuable contribution to the borough's housing need at one of the sustainable villages (Tier 4 - small excluded village) in accordance with the Settlement Hierarchy (**Policy SP3 – Settlement Strategy and Green Belt Boundaries**), which form a secondary focus for a more limited amount of development where compatible with the scale and character of the village.

160) Do exceptional circumstances exist to release this site from the Green Belt and if so, (other than Welwyn/Hatfield's housing need), what are they?

Welwyn Hatfield Response

- a) Yes, the Council considers that exceptional circumstances exist to release the site (HS24) from the Green Belt¹.
- b) This matter is addressed, in part, by the Council's Site Selection Background Paper (2016 – **HOU20**), which considered exceptional circumstances on a site-by-site and borough wide basis².
- c) The Council's exceptional circumstance case, as set out in the Site Selection Background Paper, included consideration of the matters addressed by the Calverton Case:
 - 1. Acuteness of the OAN
 - 2. Constraints on supply and land availability
 - 3. The consequent difficulties in achieving sustainable development without imposing on the Green Belt
 - 4. The nature and extent of the harm to the Green Belt if boundaries are reviewed.
- d) The Council's updated Site Selection Background Paper (2019) updates and complements the Council's exceptional circumstances case and included consideration for the fifth matter addressed by Calverton:
 - 5. The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonable extent.
- e) This matter has been considered on a site-by-site basis, as set out in the Site Templates (Appendix A of the Site Selection Background Paper 2019 – **HOU20a**) that takes into account the nature and extent of harm to the Green Belt.
- f) In accordance with the Calverton Test any impact can be reduced to its lowest reasonable extent by reducing the scale of development to be smaller than the area promoted or considered in the Green Belt Study thus retaining some separation between Little Heath and Swanley Bar and ensuring the gap is not reduced to less than the existing gap. Master-plan led new planting will

¹ The Council note that the plan is being examined under the 2012 Framework and that paragraph 83 of the 2012 Framework is relevant in this case rather than paragraph 136 from the 2019 Framework, as referred to in the Inspector's preamble. The Council note the distinctions between these two versions of the Framework.

² It is noted that additional evidence has been prepared during the examination phase of preparing the plan, which was not available at the time of submission. An example includes the Stage 3 Green Belt Study that identified this site as leading to 'high' harm to the Green Belt. The loss of 'high' harm sites from the plan would lead to a further shortfall in housing supply of around 500 dwellings (assuming the 'high' harm part of SDS5 (HAT1 is retained).

ensure the creation of robust and defensible Green Belt boundaries similar in strength to the existing settlement edge.

g) The Council's Updated Site Selection Background Paper (2019) also provides a summary of the consequences of not imposing on the Green Belt in Welwyn Hatfield Borough that contribute to the exceptional circumstances case for the plan as a whole, and that apply equally on a site-by-site basis. Whilst the proposal at the site in question is a smaller proposal, particularly in comparison to the larger and more strategic proposals, the contribution from smaller allocations is still an important part of meeting the borough's housing need. The consequences of not imposing on the Green Belt would mean the plan would fail to:

- “boost significantly the supply of housing for existing and future generations, for which an acute need exists,
- Plan for or meet the full OAN or the identified requirement for employment provision,
- Plan positively for economic growth, allowing for changes in the economy and businesses to remain, grow and locate in the borough,
- Ensure there is a balance between housing and employment planned for in order to deliver sustainable development,
- Adequately plan for and coordinate the delivery of infrastructure alongside growth (noting that smaller allocations still make a valuable and proportional contribution to local infrastructure),
- Support a sustainable pattern of development, consistent with the Spatial Strategy and Settlement Hierarchy (as advocated by the NPPF at Paragraph 84) where the Council's proposed approach does:
 - Channel development first towards the urban areas, particularly at the main town of Welwyn Garden City and Hatfield, and
 - Towards towns and villages inset within the Green Belt, particularly the larger and most sustainable villages such as Welwyn and Welham Green”.

161) Does either site impinge upon the existing gap in built development between Brookman's Park and Potters Bar?

Welwyn Hatfield Response

- a) No, the Council considers that by restricting the **HS24** site to extend no further northwards than existing development on the edge of Little Heath between Little Heath and Swanley Bar, that the gap will not be reduced to any less than the existing gap.
- b) The **HS25** site is a small extension to Little Heath. It is identified as leading to 'moderate/low' harm to the Green Belt if released in the Green Belt Study Stage 3 that also states that 'development of this site would not have an effect on the integrity of the wider Green Belt due to its existing containment'.

162) If so what, if any, remedial measures are proposed to mitigate the resulting harm?

Welwyn Hatfield Response

- a) The Council's response to Question 158 explains how impact can be reduced to the lowest reasonable extent by restricting the extent of the site to not extend any further north than existing development at Little Heath and thus not reducing the gap between Little Heath and Swanley Bar. Furthermore, the use of master-plan led new planting along the northern boundary of the site can ensure the Green Belt boundary is similar in strength to the existing settlement edge.
- b) To be consistent with **SADM 27**, a Modification could be made to add wording to the policy requirements (Table 16) to ensure new planting/ master-planning ensures the new Green Belt boundary is as strong/ effective as possible should this be considered helpful. If required, example wording of such a Modification could include:

"A master-plan led approach to new planting along the northern boundary of the site should ensure the creation of a robust and defensible Green Belt boundary, incorporating existing tree belt/ hedgerows where possible".

163) Is the proposed new boundary to urban development at site HS24 as robust as the existing one, in the context of visually preventing urban sprawl and maintaining openness?

Welwyn Hatfield Response

a) Yes. Please refer to the Council's response to Questions 158 to 162 and in particular to the response to Question 162.

164) If the boundary is to be moved, is the current proposal the most appropriate location for a new Green Belt boundary.

Welwyn Hatfield Response

a) Yes. Please refer to the Council's response to Questions 158 to 162 and in particular to the response to Question 162. The Council considers that by restricting the extent of development to no further north than existing development at Little Heath the gap between Little Heath and Swanley Bar will be no less than the existing gap. As described elsewhere, the Green Belt boundary will be similar in strength to the existing and robust and defensible.

165) If not are there other more defensible boundaries that could be chosen?

Welwyn Hatfield Response

a) No. Please refer to the Council's responses to Questions 158 to 163. By reducing the scale of **HS24**, as described, the extent of harm can be reduced to its lowest reasonable extent. The proposed Modification to **SADM 32** will ensure that a masterplan approach to new planting ensures the new Green Belt boundary is similar in strength to the existing and is robust and defensible.

166) Is there scope to improve the permanence of any new boundary through the introduction of woodland planting to create enhanced physical features?

Welwyn Hatfield Response

a) Yes. Please refer to the Council's response to Questions 162 to 165. The proposed Modification to **SADM 32** will ensure that a masterplan approach to new planting ensures the new Green Belt boundary is similar in strength to the existing and is robust and defensible.