

Standing up for Hertfordshire's countryside

Mr G. Ansell  
Development Control  
Welwyn Hatfield Borough Council  
Campus East  
Welwyn Garden City  
Herts. AL10 6AE

Our Ref:

Your Ref:

12<sup>th</sup> December 2018 (by email)

Dear Mr. Ansell,

**Application No. 6/2018/2768/OUTLINE**

**Outline application for a large scale mixed use development including 1,100 new homes and supporting infrastructure including a primary school, local centre and open space with all matters reserved at Hatfield Business Park, Hatfield Business Park, Hatfield, AL10 9SL**

CPRE Hertfordshire object to this proposal for inappropriate development in the Green Belt contrary to the Green Belt provisions in the National Planning Policy Framework, the current Welwyn Hatfield Local Plan and the emerging Local Plan currently subject to examination in public.

This site forms part of the proposed Ellenbrook Country Park which was included in the approval of the Masterplan for the redevelopment of the former British Aerospace site in 2000. It is subject to a section 106 agreement which has only been partly fulfilled. In its entirety, it falls within the Metropolitan Green Belt. As the applicant rightly points out, in early drafts of the emerging Local Plan, the Council included it as a potential development site, but subsequently removed it. Paragraph 136 of the NPPF makes it clear that Green Belt boundaries should only be altered through the preparation and review of Local Plans. It is for the Local Plan Inspector to adjudicate on that matter, not for the boundaries to be changed through applications such as this. Consequently, we cannot accept the applicant's assertion (in para. 7.6 of the Planning Statement) that "Permission would not be premature." Given that it would pre-empt the findings of the Examination and the Inspector's conclusions, or resolution of the Section 106 issues, it is necessarily premature.

In presenting a case for removing this site from the Green Belt, the applicant puts forward four 'very special circumstances.'

*1: There is an urgent housing supply need and the Council has acknowledged that it is necessary to release Green Belt Land for development.*

This is not a very special circumstance. There is indeed a housing supply need, the resolution of which is at the heart of the Examination in Public. Again, it is for the Inspector

to determine that matter. National Planning Practice Guidance says that such need does not take precedence over Green Belt policies and recent appeal decisions taken by the Secretary of State has made it clear that even a very substantial local shortfall in housing land supply does not constitute the exceptional circumstances needed to justify the release of Green Belt land for development. (DCS 200-007-658 and DCS 200-007-617).

*2: The application site was included in earlier iterations of the emerging Local Plan.*

That does not mean that it therefore has a special status sufficient to overturn Green Belt policies. There will inevitably be aspects of a draft in development which will be discarded as the document is refined.

*3: There would be a number of compensatory improvements through the Country Park, which will improve the environmental quality and accessibility of the remaining Green Belt.*

There is both irony and paradox in this statement given that the bulk of the already approved Country Park in the Green Belt would be removed to facilitate this development.

*4: Permission would not be premature as the development would support the proposed settlement strategy set out within the emerging Local Plan.*

We have commented on prematurity above. The Council took the decision not to include this site in its emerging settlement strategy. Once again, it is for the Inspector to determine the merits of that decision.

Consequently we do not believe that the ‘very special circumstances’ are valid.

We have concerns with other aspects of the documentation accompanying the application. In addressing the requirement to include an assessment of alternative options in the Environmental Impact Assessment it states in Chapter 3 that: *“No alternative sites to the application site have been considered as part of the development process. ....it is considered entirely unrealistic for the applicant to have considered alternative sites when the application site is suitable, available and viable.”* And that *“The ‘do nothing’ scenario would fail to achieve the objectives of the applicant.”* This is an unacceptable, subjective, approach.

Para. 6.19 of the Transport Assessment says that when development traffic is added, the proposed junction with Coopers Green Lane will exceed design capacity in the morning and the theoretical capacity in the evening. It then proceeds to state that: *“Once the modelling of the wider area is complete by HCC then the mitigation identified should be tested with the revised traffic figures to ensure the improvement identified works within capacity.”* In other words the applicant does not know whether this junction will work successfully or not. Little appears to have been done to determine the accumulative impact of the other Welwyn Hatfield designated development sites in close proximity to this one, or the emerging proposals in St. Albans. Para. 6.27 notes that both the junction on to Coopers

Green Lane and that at Ellenbrook Lane / St Albans Road have been identified by HCC as having potential congestion issues in future. As these form the extreme ends of the spine road serving the development, this problem needs to be resolved now, not at some indeterminate point once approval is granted.

The application site is almost identical to Green Belt Parcel P46 in the Welwyn Hatfield Green Belt Study, Stage 3, August 2018 carried out by LUC for the Council. That study concluded that the release of the parcel as a whole would cause 'very high' (the highest rating) harm to the Green Belt. In assessing impact on the purposes of the Green Belt, LUC rated the parcel as making a 'significant contribution' (again the highest rating) to Purposes 2 (preventing neighbouring towns merging), 3 (safeguarding countryside from encroachment) and 5 (assisting in urban regeneration). Figure 4.1 of the study shows the site as lying within the fragile gap between Hatfield and St Albans, which is considered to be one of the key areas of the wider Green Belt making a significant contribution to Purpose 2. Paragraph 4.29 of the LUC report states that: "*At its closest point, along the A1057, less than 1.5km separates the inset edges of Hatfield and St Albans, and the perceived gap is further reduced by intervening washed over development with urbanising characteristics at Smallford. There are no strong separating features, so this is considered to be a fragile gap.*" Clearly, the development proposed in this application would have serious consequences for the integrity of this gap separating the towns of Hatfield and St Albans.

For the above reasons, we urge the Council to reject this application.

Yours sincerely,

David Irving