



David Elmore
Development Control
Welwyn Hatfield Borough Council
Campus East
Welwyn Garden City
Herts. AL10 6AE

Our Ref:

Your Ref:

9th March 2022 (by email)

Dear Mr Elmore,

Application no. 6/2021/3538/OUTLINE
Upper Bell Lane Farm, Bell Lane, The Brookmans Park Estate, Bell Bar, Hatfield
Outline permission for residential development for up to 110 dwellings, associated
infrastructure and the provision of a new footpath and cycleway with all matters reserved
except a new vehicular access from Bell Lane

I write with regard to the above speculative application for residential development, to which CPRE Hertfordshire objects strongly for the following reasons.

1. The site is located in the London Metropolitan Green Belt as defined in the adopted Welwyn Hatfield District Plan according to criteria identified in the National Planning Policy Framework (NPPF). Although originally suggested for allocation in earlier stages of the Submission Local Plan preparation, the site is not presently allocated for development in the emerging Welwyn Hatfield Local Plan presently under Examination in Public.
2. The Planning Statement prepared by consultants DLP Planning states inaccurately that "the Council has failed to adopt a new Local Plan, which has been found to be unsound by the Planning Inspector...(seq.)". As noted above, the consultants will be aware that the emerging Local Plan continues to be subject to a very lengthy Examination in Public (EiP) and is still the subject of potential modification.
3. The above consultants will also be aware that comments made by the Planning Inspector during the course of the EiP do not constitute a declaration of unsoundness of the Local Plan as a whole and it is inappropriate to suggest that they do. The Planning Statement (paragraph 0.4) makes several further statements regarding the Council's position as assertions which are at best arguable, in addition to the false assertion noted in 2. above.
4. The Planning Statement notes that: "The site is highly contained within an urban setting and does not perform any significant national Green Belt purpose. In particular it does



not compromise the openness of the Green Belt encroachment on open countryside.” CPRE Hertfordshire refutes entirely this assertion as the proposal constitutes a clear encroachment into open countryside with a significant effect on its openness and character in this location, and would lead to the coalescence of the two settlements of Bell Bar and Brookmans Park.

5. The Statement further notes that: “the Council has acknowledged and confirmed that Exceptional Circumstances for the release of land from the Green Belt do exist.” We believe that this is a significant misinterpretation of the Council’s position with no supporting evidence, and the removal of this site from the emerging Local Plan supports our view.
6. Similarly, the suggestion that “the Council has promoted the release of Bell Bar... from the Green Belt” is misleading. As noted above, this site is not now allocated in the emerging Local Plan in its present form.
7. Further remarks regarding Very Special Circumstances (VSC) in paragraph 5.34 seq in our view significantly misrepresent the present situation regarding the emerging Local Plan. The references to the recent planning appeal decision at Colney Heath and other cases relate to the continuing consideration of the relative weight which should be accorded to the various requirements of the National Planning Policy Framework (NPPF).
8. In the case of the Colney Heath appeal decision, this related to the VSC required to be demonstrated for that planning application, and the Inspector was careful to indicate that the decision did not provide a precedent for other sites where different circumstances would clearly apply. With regard to the VSC required for Local Plan allocations in the Green Belt, the requirements of Paragraph 11 of the NPPF (and footnotes) effectively require Local Planning Authorities (LPAs) to take account of designated protected areas, including Green Belt, in defining housing targets.
9. It is not therefore appropriate for potential developers to argue that housing need overrides the requirements of protected land, and this has been reinforced by the recent appeal decision at Broke Hill, Sevenoaks. CPRE Hertfordshire urges all LPAs to take account of the requirements for protecting designated land indicated in the NPPF.
10. CPRE Hertfordshire notes and supports many of the representations made by members of the public and specifically the representations made by the Bell Lane Action Group and North Mimms Green Belt Society. Both representations have provided considerable detail and evidence that demonstrates the inappropriateness of this application in addition to the concerns noted above.



11. In addition to the concerns relating to housing need and the protections offered by Green Belt designation, the assertions by the Applicant regarding the VSC provided by proposals for the natural environment, transport and economic benefits and climate change are no more than policy compliant and would apply to any similar development proposal on unprotected land.

Yours sincerely,

Chris Berry
Planning Manager