



Raymond Lee
Development Management
Welwyn Hatfield Borough Council
The Campus
Welwyn Garden City
Herts. AL8 6AE

Our Ref:

Your Ref:

23rd June 2022 (by email)

Dear Raymond Lee,

**Application no. 6/2022/1107/OUTLINE - Roebuck Farm, Lemsford Village, Lemsford
Outline Application for the development of up to 33 dwellings (Use Class C3)
together with all ancillary works (all matters reserved except access)**

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

1. The site is located within the London Metropolitan Green Belt as identified in the existing Welwyn Hatfield District Plan 2005, where development is inappropriate unless very special circumstances can be demonstrated according to criteria in the National Planning Policy Framework (NPPF). Whilst the site was allocated for housing in an earlier draft of the Submission Draft Local Plan, the Local Plan continues to be the subject of a long-running Examination in Public and it is not now proposed that this site should be included in the schedule of sites for removal from the Green belt.
2. CPRE Hertfordshire supports fully the Council's present position with regard to this site and notes further the very considerable debate surrounding the status of designated protected land, and specifically Green Belt in this area. The extended period of the Examination in Public (EiP) is testament to the concerns of the Council and local communities with regard to inappropriate development in the Green Belt.
3. CPRE Hertfordshire, together with a wide range of local community and other organisations, has been represented at the EiP and made submissions relating to the housing figures presented in the Draft Local Plan. We, and others, have challenged the basis for the Council's calculation of housing need at the EiP which are based on out-of-date population projections and the amount of land required.
4. It would be inappropriate to determine this application prior to the clarifications being sought by Welwyn Hatfield Council and others, including CPRE, regarding the interpretation of the NPPF and planning guidance, which may affect planning policy on



the significance of designated protected land. We note that the recently published Levelling Up and Regeneration Bill and supporting policy information re-iterates recent Ministerial statements, which have policy weight, that have indicated strong support for the Green Belt, and the continued granting of permissions is inappropriate in these circumstances.

5. The Applicant's Supporting Planning Statement devotes considerable attention to a review of the Pre-Application advice (Section 4) by the Council and concentrates on a critique of the response to the reservations of the planning officer with regard to the principle of development in the Green Belt. This is of course the heart of the matter, and it is disingenuous of the consultants to suggest that this is the "only substantial impediment" to the developer's preferred outcome when it is clearly the principal concern.
6. The consultant's over-legalistic tone and unwarranted criticism of the officer's appropriate concerns are unfortunate. The references to "Court Judgements and Appeal Decisions" are presumably intended to set the context for the consultant's response, but they will be well aware that they do not provide legal precedent and each case shall be determined on its merits.
7. I refer to remarks above concerning the Council's Local Plan provisions for housing land supply and how these are being revised currently. Paragraph 11 (plus footnote 7) of the NPPF continues to provide local planning authorities with the responsibility to adjust housing need assessment according to policy constraints related to protected land.
8. The consultant's remarks relating to the "outdated 2016 Ministerial Statement...and recent vague and generalised words by the Prime Minister (seq)"....(para 4.2 Supporting Planning Statement) may also now be put into the context of the Levelling Up and Regeneration Bill's intended protection of Green Belt, the recent Ministerial response to the Council with regard to the Draft Local Plan, and the recent planning appeal decision at Broke Hill Sevenoaks.
9. It remains the case that this proposal constitutes inappropriate development in the Green Belt by virtue of its encroachment on protected countryside, and impacting on the openness of the countryside in this area. Very special circumstances for approval should be related to the conditions of the site rather than generalised matters of housing land supply which could be satisfied elsewhere where they are relevant.
10. The legalistic treatment of the discussion relating to very special circumstances in Sections 6 and 7 of the Supporting Planning Statement ignores entirely the key purpose of the Green Belt in "washing-over" Lesmford village, which is to maintain the



essentially rural character that is particularly significant given its proximity to the larger Welwyn built-up area. Neither very special nor exceptional circumstances are demonstrated and the determination of this application is clearly a matter of planning judgement for the Council on the basis of policy and local conditions.

11. CPRE Hertfordshire supports the response of Herts and Middlesex Wildlife Trust and others regarding the impact of the proposed development on wildlife and potential loss of biodiversity. We note the proximity of the proposal to the Lemsford Springs Nature Reserve which should be constitute a major constraint on development in this area.

Yours sincerely,

Chris Berry
Planning Manager