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Standing up for Hertfordshire's countryside

William Myers
Development Management
Welwyn Hatfield Borough Council
The Campus
Welwyn Garden City
Herts. AL8 6AE

Our Ref:

Your Ref:

15th March 2023 (by email)

Dear William Myers,

**Application no. 6/2023/0261/OUTLINE
The Avenue, Welwyn**

Outline permission for up to 24 dwellings with all matters reserved except means of access

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 allocated for development in the emerging Welwyn Hatfield Local Plan presently under Examination in Public.
2. The Planning Statement prepared by consultants seeks to justify the application solely on the basis of the lack of housing land supply and quotes the recent planning appeal decision at Bullens Green Lane in support. In the case of this decision, the Inspector was careful to indicate that the decision did not provide a precedent for other sites where different circumstances would clearly apply.
3. No attempt is made to establish the "very special circumstances" (VSC) necessary to overcome the inappropriate nature of the proposed development in the Green Belt. The proposed development constitutes a clear encroachment into open countryside with a significant effect on its openness and character in this location and it is not appropriate for potential developers to argue that housing need overrides the requirements of designated protected land.
4. Significant representations are being made by CPRE and other bodies to the Government to clarify the technical guidance in the area of housing need with regard to protected areas, especially in the absence of an up-to-date Local Plan. The Government's position is evolving

CPRE is working nationally and locally for a beautiful and living countryside

CPRE Hertfordshire is a Charitable Incorporated Organisation

President: Sir Simon Bowes Lyon, KCVO
Chairman: Allan McNab

Registered Charity 1162419

with regard to protection of the Green Belt in response to local community and local planning authority concerns.

5. Recent Ministerial Statements, which have policy weight, have reiterated the Government's strong support for protection of the Green Belt. Most recently the Secretary of State for Levelling Up, Housing and Communities published a Statement on 6th December 2022 which noted:

"It will be up to local authorities, working with their communities, to determine how many homes can actually be built, taking into account what should be protected in each area— be that our precious Green Belt or national parks" (Hansard: Planning System and Levelling Up Bill: Community Control. 6.12.22).

6. It is clear that the Government's intention is to retain the Green Belt in its present form and the constant attempts to undermine Green Belt protections for residential developments are in danger of bringing the planning system into disrepute. The recently published "Levelling Up and Regeneration Bill Policy Paper: Further information" re-emphasises the Government's support for protection of the Green Belt as follows:

"the increased weight given to plans and national policy by the Bill will give more assurances that areas of environmental importance – such as National Parks, Areas of Outstanding Natural Beauty...- will be respected in decision on planning applications and appeals. The same is true of Green Belt, which will continue to be safeguarded." (Creating beautiful places and improving environmental outcomes; In the Bill: LURB Policy paper, May 2022)"

Further,

"Existing Green Belt protections will remain, and we will pursue options to make the Green Belt even greener." (Creating beautiful places and improving environmental outcomes; Alongside the Bill: LURB Policy paper, May 2022)

7. The recently published National Planning Policy Framework (NPPF) Prospectus, on which public consultation ended earlier this month, also introduced the likelihood of significant amendments to the NPPF regarding housing need and provision and the need to take account of local condition in this area. The above factors mean that it would be inappropriate to permit this development when there is continuing uncertainty regarding the status of highly valued protected land.

8. A similar argument relates to the provision of affordable housing. Recent research by CPRE Hertfordshire indicates the almost complete inability of speculative market housing to address in any meaningful way the demand for housing by average or below average income households in the County as a whole.



9. The proposal for a high proportion of “affordable housing” should not be used to justify the application in the absence of a registered provider. Without a binding legal agreement to provide truly affordable housing for average earning households, with an appropriate provider, assertions by a developer in support of a planning application are effectively meaningless in the light of the present definitions of affordable housing.

10. Too often, affordable housing proportions are reviewed by developers following the granting of planning permission, quoting viability issues. Statements of intent by the Applicant are inadequate to provide the security needed to ensure that appropriate affordable provision will be made.

Yours sincerely,

Chris Berry
Planning Manager

NOTE: We would request that this letter is published on the Council’s website as a document relating to this application and should be grateful if you would notify us of the date of the appropriate meeting if it is to be determined by planning committee.