

**North Hertfordshire Local Plan 2011-2031
Further Hearing Matters March 2020**

Matter 25 – new land proposed for allocation through the main modifications

Comments on behalf of Welbeck Strategic Land IV LLP (“Welbeck”)

Preamble

The Inspector’s comments in relation to the status of the Policies Map are noted in relation to its status: specifically, that it is not a Development Plan Document and therefore not capable of being subject to any recommendation of main modification. We acknowledge that the Inspector and the Council have thus far ‘badged’ proposed changes to the Policies Map as main modifications. Whilst we note the Inspector’s comments that this is not technically correct, we support this approach for the sake of clarity and make our own comments in light of this. We also note that if it is the Inspector’s intention to refer to any changes to the Proposals Maps necessary for soundness that these cannot be in the form of recommended changes.

The following comments refer solely to the Council’s preferred main modification of the Proposals Map in relation to site allocation WY1 Little Wymondley.

Synopsis

The Council has proposed to alter the boundary of the Green Belt at Little Wymondley in order to permit development in a sustainable location, of an appropriate scale, and necessary to provide housing delivery early in the plan period.

The proposed new Green Belt boundary follows strong, defensible and permanent boundaries comprising the Wymondley bypass, local roads and mature boundaries.

Within the area to be excluded from the Green Belt the Council has allocated development for and estimated 300 homes and, if required, the provision of a primary school. These land uses are not expected to occupy the whole of the land. The southern part of the site is affected by overhead electricity transmission lines making it unsuitable for development. It also comprises higher ground on which landscape considerations become more apparent. As a result, the balance of the land not required for development is proposed to be designated as Urban Open Land.

Since the commencement of the Examination, Welbeck has acquired the rights to promote the site. Welbeck has retained the previous promoter’s consultant team and has commissioned further work to determine a suitable form of site development that will secure the provision of the allocated dwellings. This builds on earlier work carried out by the previous promoter which was subject to two pre-application submissions to the Council. Welbeck has engaged further with the Council and on their advice intends to make its own pre-application submission at an appropriate time.

A revised and updated draft masterplan is currently being prepared. This has regard to assessed site considerations including appropriate solutions for access and drainage as well as having regard to constraints arising from the natural and historic environment.

The proposed main modification of the Proposals Map in relation to site WY1 does not affect the proposed boundary to the Green Belt or the number of dwellings to be allocated. It simply follows from the technical assessments of the site reflecting the desire to secure a high quality

of design and the outcome of ongoing pre-application consultations with the Local Planning Authority.

MIQs

Our specific comments on the MIQs are made in the overall context outlined above.

a) Is the inclusion of the new area of land for allocation necessary for soundness?

The inclusion of a larger area of developable land within the overall area to be excluded from the Green Belt is necessary for soundness as the increase in area is required to ensure that the allocation of the site can deliver the 300 dwellings on which the Plan is predicated.

The alteration does not therefore alter the scale of the allocation; nor does it affect the proposed Green Belt boundary.

The increased area results in a smaller area of 'Urban Open Land'. This reduction does not prejudice soundness as the identification of Urban Open Land is not necessary for the scheme to go ahead and does not reduce the area of accessible open space available to the development to a level which would be less than that required by policy.

b) Is the new area of land proposed deliverable? In particular, is it:

- (i) confirmed by all of the landowners involved as being available for the use proposed?**

The land allocated as developable and as Urban Open Space is in the ownership of a single landowner and is subject to a Promotion Agreement held by Welbeck who are contracted to procure an appropriate planning permission.

- (ii) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?**

Consultants have been retained by Welbeck to agree a vehicular and pedestrian access strategy. Further pre-application advice (obtained directly from Hertfordshire County Council as Highways Authority) has been requested on which to base the revised and updated masterplan – see also our submissions in respect of Matter 11 (January 2018).

- (iii) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?**

Consultants have been retained by Welbeck to prepare detailed and updated assessments of other infrastructure, specifically including flood risk and drainage, utilities, archaeology and the historic environment, landscape, ecology and noise. These considerations are informed by previous assessments and are informing the preparation of the draft revised masterplan as the basis for further pre-application consultation.

c) Is the inclusion of the new area of land justified and appropriate in terms of the likely impacts of the development?

The inclusion of additional developable land within the overall area to be excluded from the Green Belt is wholly justified.

It is based on a rigorous assessment of the site characteristic and constraints; it will not increase the impact of the development overall as it does not entail any material increase in

the number of dwellings to be provided on the site – the Local Plan is predicated on an estimated provision of 300 homes.

It does however allow for a more suitable form of development that has greater regard to existing site constraints such as the need for effective surface water management, and the retention of mature trees.

The whole of the site proposed to be allocated under Policy WY1 including the additional land is currently within the Green Belt.

a) Do exceptional circumstances exist to warrant its allocation? If so, what are they?

The exceptional circumstances to support the exclusion of land at Little Wymondley were outlined in relation to Matter 11 and have not changed. Indeed the acute shortage of deliverable land reflected in the Housing Delivery Test results demonstrates further that Green Belt is a constraining factor in meeting housing need and moreover that unless suitable sites are excluded for the Green Belt the Council will be unable to meet its Objectively Assessed Need.

With specific respect to WY1, the site has clearly defined boundaries formed by existing highways and the existing edge of development. Moreover, the land performs no robust green belt function. This is notwithstanding GC1 Table 2.4 which suggests that the site has a significant role in preventing neighbouring towns merging but that overall it makes no more than a 'moderate' contribution to the purposes of Green Belt – if it made any less contribution it should not have been included in the first instance. It can be noted that the reassessment (ED161A – Table 3) reached the same conclusion overall.

It is our view that whilst ED161A notes a 'moderate' impact on the merger of settlements this must be tempered by the strength of the proposed amended boundaries which will be robust and durable in the long term.

b) What is the nature and extent of the harm to the Green Belt of removing the new area of land from it?

None. The whole of the original allocation and the land proposed as an extension to the developable area together with the adjoining Urban Open Land is proposed to be excluded from the Green Belt. The main modification only affects the balance between the developable part of the overall area and the remainder to be retained as undeveloped and not the boundary of the Green Belt as proposed to be changed in the Local Plan as submitted.

c) To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent? If/where relevant:

For the reasons set out above there is no consequential impact on the Green Belt.

The area of Urban Open Land comprising the balance of the land to be excluded from the Green Belt will be reduced however this will not affect the ability of the development to provide sufficient open space.

The area of Urban Open Land reflects the fact that the most appropriate and durable future Green Belt boundaries enclose more land than is required to provide 300 dwellings, such land being in any event constrained for development by virtue of electricity transmission lines, landscape impact etc.

d) If this new land were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by its allocation?

The Green Belt function is unaffected by the change as the proposed Green Belt boundary follows established, clearly defined, durable boundaries.

e) Will the Green Belt boundary proposed need to be altered at the end of the plan period, or is it capable of enduring beyond then?

The Green Belt is proposed to follow durable boundaries such that we consider it will not need future amendment in relation to the allocated site which cannot be further extended beyond the developable area proposed in the main modifications.

f) Are the proposed Green Belt boundaries consistent with the Plan's strategy for meeting identified requirements for sustainable development?

Yes. The proposed boundary for the reasons set out, will be durable and permanent. It is consistent with the Plan's strategy and is not affected by the main modification to alter the balance between the developable and undevelopable areas within the overall area of the Green Belt amendment.

g) Has the Green Belt boundary around the new land been defined clearly, using physical features that are readily recognisable and likely to be permanent? Does it avoid including land which it is unnecessary to keep permanently open?

Yes. For the reasons set out the new Green Belt boundary will be durable. It follows the boundaries established by four roads (Wymondley Bypass, Blakemore End Road, Stevenage Road and Tower Close, together with the boundaries to existing residential properties south of Stevenage Road).

Subject to the main modification alteration to the Proposals Map, none of the land to be excluded from the Green Belt is necessary to be kept permanently open save that the Urban Open Land is so designated as it is not required, and is unsuitable for, development. The boundary between the Urban Open Land and the proposed developable area does not have a permanent, durable boundary comparable to that proposed as the Green Belt boundary.