

Examination of the North Hertfordshire District Council Local Plan 2011-2031

Hearing Statement by Save our Green Belt in Rural North Hertfordshire (SOGB) for Matter 23 – the Green Belt Review work and the site selection process

Introduction

1. Save Our Green Belt in rural North Hertfordshire (“SOGB”) is an unincorporated association comprising the following groups or parishes, which are all affected by the proposed release of Green Belt for housing, including: Save Rural Codicote, Ickleford Parish Council, Graveley Parish Council, Wymondley Parish Neighbourhood Plan Forum, Knebworth Parish Council, Offley Parish Council, including the village of Cockernhoe.
2. SOGB is supported by a number of members of the public across North Hertfordshire.
3. Each objector has raised concerns about Green Belt release in their individual objections. Given the overlap of issues affecting their localities, they have come together to make their case that the release of the Green Belt for housing is not justified, and therefore the proposed plan is not justified or consistent with national planning policy set out in the National Planning Policy Framework (2012) (“the NPPF”) and is therefore unsound.
4. These submissions should be read together with the letter from SOGB dated 27th January 2020 which is appended; the content of which should be treated as being incorporated into this Hearing Statement.

The site selection process

5. Taking the questions raised by the Inspector in turn:

Has the Inspector understood the approach taken by the Council (as summarised in his Further Matters, Issues and Questions) correctly?

6. SOGB does not dispute the summary. However, it notes (and agrees with the Council) that the overall approach is best summarised in the flow chart attached as Appendix A to the Council's Matter 9 Hearing Statement.

Is the approach taken reasonable, adequately robust and consistent with national policy?

The Sustainability Appraisal is not influenced by the degree to which land does or does not contribute to the purposes of including land in the Green Belt. Should it be?

7. These questions will be taken together.
8. By way of context, SOGB notes that approximately 32% of the district falls within the Green Belt. However, 82% of the proposed housing in the plan is proposed to be located in the Green Belt.
9. This is a significant disparity that, in of itself, raises real doubt about whether or not the site selection process is robust. This is all the more so given that the Green Belt should be given the highest level of protection, commensurate to the importance attached to it in national planning policy: see paragraph 79 of the NPPF.
10. In order to demonstrate "exceptional circumstances" for the purposes of paragraph 83 of the NPPF, it is necessary to demonstrate that all potential options for development on non-Green Belt land have been considered and rejected for good reason in the site selection process.
11. SOGB's position is that the site selection process took a fundamental "wrong turn" at the first stage in the site-selection process. As set out in Part B of the Council's response to the Inspector's letter of 9th July 2019, this was the "initial sift of sites" through the 2016 Strategic Housing Land Availability Assessment ("SHLAA"). Only sites that passed through this initial sift (on the basis that they were available, achievable and suitable) were considered further (see ED161A, paragraph 2.10).
12. In summary, SOGB's concerns (some of which have already been articulated) are as follows:

- (1) The SHLAA is now four years old. It is out of date, and does not form a reliable basis for the selection of housing in a plan which is proposed to be adopted in 2020.
- (2) Given the importance attached to the Green Belt, the Council should have been more proactive in identifying potential sites for development, rather than relying on developers submitting sites for inclusion in the SHLAA.
- (3) Given this, the Council has not adequately demonstrated that further development could not come forward on non-Green Belt land. It is noted, in particular, that the SHLAA only identified a potential capacity for 2,826 homes to come forward on non-Green Belt land (741 homes on previously developed land within town/village boundary; 358 homes on greenfield land in the urban area; and 1,727 homes beyond the existing town and village boundaries but not within the Green Belt). However, the SHLAA is a high level desktop exercise that is reliant on information provided by developers. The Council has not adequately demonstrated that this truly represents the maximum extent of non-Green Belt land that is available, achievable and suitable for development.
- (4) The approach in the SHLAA to assessing the “suitability” of sites is inconsistent with national planning policy. In particular, the location of a site within the Green Belt (and the contribution that a particular site made to the Green Belt) was not treated as a constraint to development; whereas non-Green Belt constraints (such as access and landscape impact concerns) were. This does not reflect the importance attached to the Green Belt in the NPPF.

In its Part B paper, the Council has sought to demonstrate that Green Belt factors were considered in the SHLAA (see Table A) in order to attempt to dispute the Inspector’s suggestion that sites passed through the SHLAA “*irrespective of the contribution made to it by Green Belt*”. However, it is plain that this is not the case. Read fairly (and without the benefit of the Council’s retrospective attempt to link the reasons given in the SHLAA to Green Belt considerations), the vast majority of sites rejected in Table A were clearly refused for non-Green Belt factors (such as the impact on the landscape).

In addition, and in any event, inadequate attention was given to considering whether any issues raised in the SHLAA could be adequately resolved through mitigation.

13. The process adopted in “Stage Two” remains wholly unclear. It is said that there was a “*consideration of all alternatives*” and the Council made “*a series of balanced planning judgments through iterative consideration against broader policy issues and evidence base*”: see the flow-chart appended to the Council’s Matter 9 Hearing Statement. SOGB asks in which document in the evidence base this “*series of balanced planning judgments*” can be found. Even now, over two years into the examination, this is completely unclear.
14. If the answer is that it is in the Sustainability Appraisal, the failure of that document to consider the contribution of each site to Green Belt purposes, is a fundamental flaw. The objectives against which the sites were assessed (as summarised in paragraphs 41 and 42 of Paper B) do not adequately reflect the purposes of including land in the Green Belt as set out in paragraph 80 of the NPPF.
15. For all of these reasons, SOGB contends that the approach taken is not reasonable, adequately robust and consistent with national policy.

The Green Belt Review

16. SOGB maintains all of the previous problems it has identified with the Green Belt Review, not all of which have been addressed in the Update. However, it has no additional points to raise on the specific questions raised by the Inspector (i.e. the implications in the change in assessment of some parcels of land).



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NHDC Emerging Local Plan Consultation on Main Modifications 2019 – Objections/Comments

Representation by: Save Our Green Belt and the Wymondley Parish Neighbourhood Plan Committee

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27th January 2020

Dear Louise,

Further to the request made by the Planning Inspector for responses to his recent MIQ's, we would be very grateful if you could forward on this letter to the Inspector for him to consider in his decisions in due course. I apologise to you and him for the length of the letter but by their very nature the planning issues arising out of the proposed replacement Local Plan are both complex and challenging and the commentary here is also likely to apply across the entire District, if not the Category A Growth Villages. The issues here related to Wymondley in many cases hold relevance in Codicote, Knebworth, Ickleford and Graveley also as they are all Village communities protected by Metropolitan Green Belt.

We will deal with each of the proposed modifications in turn.

In relation to matters of significance since the last Examination in Public, the following important events and aspects have taken place.

1. The Wymondley Neighbourhood Plan has been formally adopted by the North Herts District Council and it provides for the wishes of local residents whom provided a 98% acceptance at referendum. The Wymondley Neighbourhood Plan clearly proposes developments within Wymondley Parish of up to 50 Homes. The proposed Local Plan requires a development of 350 Homes. The Neighbourhood Plan states that the Residents are opposed to building on the Green Belt and desiring a resolution to the regular flooding (as recently as twice in January 2020) which can affect up to 82 Homes that struggle to obtain suitable Home Insurance as a result. As we continue to argue, a major development ABOVE the Village of Little Wymondley would only make matters worse. (Matter 25 and Matter 26 refers)

2. The North Herts District Council has declared a Climate Emergency, and this places greater pressure on the need to ensure that sustainability is observed in any new developments especially those like Wymondley that have no railway station despite the main line running through the village and the area supporting its electrification. The likely access to and from the new development would likely be by motor car and the traffic would likely converge on roads already overcrowded at peak times. (Matter 23 refers)

3. The Village of Little Wymondley is bordered by the A1M and the A602 with the mainline London to Edinburgh rail connection running to the north of the Village. The Residents are blighted by the impacts from the existing national infrastructure and merely desire quiet enjoyment of their surroundings. The Wymondley Parish Council has formally requested the NHDC to extend its Air Quality Management Area from the Three Moorhens roundabout in Hitchin, along the A602 towards the A1M so that continued monitoring consistent with the requirements of DEFRA can be maintained. This request follows a thirteen-month Air Quality test carried out by voluntary members of The Wymondley Parish Neighbourhood Plan Committee in accordance with the DEFRA process and supported by Friends of the Earth. The tests determined that the area proposed for WY1 had an illegal Air Quality over the entire period of testing. In accordance with the Councils own Air Quality Policy it would be unjust to encourage human habitation in an area known to be sustaining an illegal Air Quality measurement. (Matter 25 and Matter 26 refers)

4. Prior to the submission of the NHDC Local Plan to the Planning Inspectorate and at Public Meetings, the NHDC Councillors made it known that they were not entirely satisfied with their Local Plan and that they would “leave it to the Planning Inspector to decide on its suitability” We note from the document titled “Five Year Housing-land supply” comments and statements that can only be considered as a criticism of the Planning Inspectors deliberations which have created delays in the delivery of Housing in the locality. We consider and wish to make it known, that the inappropriate and poorly drafted Local Plan alone, is the only reason why these deliberations are taking place and we applaud the Planning Inspector for taking his time to consider the Local Plan and to question the Plan in the manner that he has so far undertaken.

5. The Save Our Green Belt group are concerned that the NHDC has simply used site availability to decide their Local Plan which in turn does not constitute Plan making. As a result of the desire to access Government Funding for New Homes building the Local Authority have lost all sense of priority in composing the Plan when areas outside of the Green Belt are previously designed with both road and rail links to establish the third Garden City (Osborn) in Hertfordshire or a number of new settlements. Hertfordshire is the birthplace of the Garden City movement and the very first New Town all of which have enjoyed relative success. Whilst we appreciate that the Inspector is not engaged to consider Planning schemes that might have been, we do believe the Inspector should consider the overall impact of the Local Plan composition in arriving at his decision to permit so many developments within the Green Belt which we summarise below.

	No. of sites	¹² Area (gross ha)	No. of homes
Brown field land in existing settlements	21	13.14	741
Green field land in existing settlements	13	16.17	3
Outside existing settlements but not Green Belt	29	93.73	1727
GREEN BELT	63	835.86 (87% of total)	12722 (82% of total)
Total	126	959	15548

For the record it is intended that the Save Our Green Belt group will provide representation at the next EiP and we will also instruct our legal representatives to contact you separately.

Turning to the matters for discussion at the next EiP, they are as follows and relate to all the matters listed by the Inspector, many of which remain unanswered by the NHDC in their previous responses many of which appear light on information in many cases, as the Local Authority try to justify a very poorly drafted Local Plan.

Green Belt and “exceptional circumstances”: Main Modification 023 (Policy SP5) (Matter 23)

The Green Belt Review update 2018 provides further confirmation that the area surrounding Little Wymondley, including the proposed development site WY1, makes a significant contribution to the Green Belt, yet the Main Modifications and Emerging Local Plan fails to explain the “exceptional circumstances” or “very special circumstances” that justify its removal from the Green Belt. The only justification NHDC have given is that the site is available and that there is a need to build houses in their jurisdiction. The NPPF 2012 against which this NHDC Plan is being tested clearly states that housing need alone does not justify removing land from Green Belt. It is unrealistic that a Green Belt Review can in effect be entirely re-written yet still arrive at exactly the same conclusion without modification of the Green Belt boundaries proposed for change.

Indeed, in their supporting document for the Green Belt Review, HOU1 (Housing and Green Belt Background Paper, including the Housing and Settlement Hierarchy Background Paper, November 2014), NHDC state:

The National Planning Policy Framework (NPPF) advises as follows:

If it is necessary to prevent development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. “

This is partly why the village of Little Wymondley was excluded from development in the NHDC Local Plan 1996 and in the saved policies (2007) from this plan.

The modifications to the plan also extend the physical site size of WY1, as a result of a developer’s request to build up to a geographical brow. This contour is not a natural physical element of the site, but manmade from the distribution of soil excavated from the bypass construction, which, I believe, may contain contaminated materials unrecorded from the early 20th century.

Additionally, the ONS household formation figures released recently indicate that NHDC have overestimated the number of houses needing to be built in their jurisdiction.

Indeed, according to the latest household projection figures published by the Office for National Statistics the required increase in housing in North Herts District has dropped from 13,800 to 9,700 dwellings.

In a letter dated October 11th, 2018, the Inspector asked North Herts District Council to provide their comments on these latest housing projections, and whether these would have a bearing on the amount of new housing proposed to be brought forward under the replacement Local Plan that he has been examining.

We consider that these latest projections must have a material bearing on whether or not it is necessary to release any Green Belt sites for new housing, since the current Site Allocations proposed by the Council are predicated on having to provide a much higher number of new dwellings.

It must now be very doubtful that such a number of Green Belt releases, especially around Wymondley where infrastructure limitations and capacity are so crucial to resolve ahead of any new housing sites being allocated, are in

reality required. This has always been the view of SOGB and now we find it substantiated to a large degree through these reduced household projections.

Brownfield sites in the district also seem to have not yet been exhausted, and it is our belief that these should be used in priority over Green Belt land. It has always been a recognised and supported principle of good planning as espoused in the NPPF that the best developments are those which are sustainable. Using previously developed sites in an effective and efficient way is a key part of sustainable development and policies at national and local level. These have often required a sequential approach to be applied to the bringing forward of new residential and employment sites to try to ensure that such sites are developed before green field sites are forced to be brought forward.

Indeed, the government has in September announced three streams of funding totalling £4.1 billion for the development of brownfield sites for new housing where infrastructure and decontamination costs are high. This funding commitment demonstrates that the government believes that brownfield sites in settlements should be developed first ahead of releasing Green Belt land.

Openness (Green Belt/Green Spaces): MM023 (Matter 23)

The NHDC main modification to the plan reduces the openness of the area as a result of further extension and does not take account of the sight-lines from the listed buildings identified in a land assessment survey conducted by NHDC, which is why the original site was considerably reduced in size initially. There has been no practical suggestion as to why the extension has now been permitted.

The NPPF 2012 states in Paragraph 97 (b) that “the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location;” - NHDC’s plan and Main Modifications have no compensatory equivalent open space in the locality of Wymondley Parish, or the surrounding areas.

When looked at as a whole for this locality, NHDC’s proposals for site WY1 (Little Wymondley), NS1 (1,700 dwellings near Graveley) and Stevenage Borough Council’s proposals in their Local Plan for sites HO3 (abutting Graveley), EC1/4 & EC1/7 (industrial estates on the land adjacent to the A1(M) Junction 8 and on Little Wymondley village boundary at Chantry Lane), plus the additional live planning application (Application No 19/00123/FPM) for 133 dwellings on the land to west of A1(M) and south of Stevenage Road (Todds Green) (formerly part of the Wymondley Parish, until NHDC removed this when the parish applied for its neighbourhood plan area), the rural character of the entire area around Wymondley Parish will be completely eroded, destroying the villages and creating an urbanised area - this is exactly the situation that the Green Belt protection was originally designed to prevent (urban sprawl). This will also likely lead to the coalescence of the major Towns of Stevenage and Hitchin should additional developments of a proposed Power Generation Plant take place at the Little Wymondley Sub Station as a result of this land and all other proposed developments adjoining these Towns.

The Court of Appeal in John Turner v Secretary of State for Communities and Local Government indicated that

“[t]he word ‘openness’ is open-textured, and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent among these will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspect of openness which the Green Belt presents” (paragraph 14).

There is no doubt in our minds that the openness and visual amenities of the Green Belt around Wymondley will be completely lost should the site allocations be allowed, and that even compensatory new Green Belt designations elsewhere in the District will not have any positive mitigating effect. That openness will be permanently lost.

We would also ask the Inspector to note that because of a Supreme Court case, *Suffolk Coastal District Council v Hopkins Homes Ltd*, it is now very clear that the courts at the highest level have held that policies dealing with Green Belt land and openness should not be treated as policies for housing supply purposes. Therefore, proposed draft site allocations in Wymondley should not 'trump' existing Local Plan policies restricting developments within a Green Belt when the proposed replacement Local Plan has not yet been found 'sound' in law or adopted by the local planning authority as part of its statutory development plan.

A number of current planning applications elsewhere can in our view be rightly considered to be premature as being in conflict with the latest guidance contained in the NPPF.

Paragraphs 133 to 147 of the latest NPPF deal with the protection of the Green Belt. Policies 2 and 5 of the adopted North Herts District Local Plan 2002 which as you know were 'saved' and which are still part of the District's statutory development plan are also relevant policies which deal with the protection of the Green Belt.

The NPPF confirms in paragraph 133 that:

"The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence".

Developments proposed around Wymondley would represent, if granted permission, a major incursion into a large area of open and rural Green Belt land. A substantial area would be lost in terms of openness and open countryside on a permanent basis. The sides of the village which faces onto that open land would be diminished in terms of harm caused to residents' outlook and public views into the open countryside.

The impacts on the rural landscape of this part of the countryside and Green Belt, on public views, as well as the implications of a significant increase in traffic would surely at the very least have been required to be assessed as potentially 'significant' environmental impacts, let alone the surface water run-off impacts from all these new residential developments. Flood risk is dealt with later in this letter.

Paragraph 136 of the NPPF further confirms that:

"Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period.

Where a need for changes to the Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans".

The latest guidance as at February 2019 re – confirms that only exceptional circumstances would justify changing a Green Belt boundary, and only through strategic planning policies which allow for a permanent new boundary to the Green Belt to be established here.

We are certainly not there yet in our view, in terms of having adopted strategic planning policies in place which have justified the loss of large areas of Green Belt land and openness and it is still the current adopted 2002 Local Plan to which the decision maker must refer in making any decision on this particular planning application primarily.

Policy 2 of the adopted 2002 Local Plan advises that the Council will, aim to keep the uses of land open in character.

Policy 5 further confirms that in relation to the designated Excluded Villages in the District which currently includes Wymondley (although the local planning authority are trying to change this designation so that it becomes a Growth Settlement), developments will normally permit developments within those villages. This statement implicitly adopts

the position that developments outside the existing settlement boundary will be restricted and where there is no positive presumption of permission being granted.

The Town and Country Planning and Compulsory Purchase Act 2004 specifically requires in Section 38(6), that planning applications should only be approved where they are in accord with the development plan, unless material circumstances dictate otherwise and it is clear that this application is completely contrary to the current statutory development plan.

We recognise that if the emerging replacement Local Plan is found 'sound' in law by the Inspector and his view is supported ultimately, then the new Local Plan will form the basis of the development plan and will then be accorded significant weight in future planning decisions. That is why it is so critical to local communities such as Wymondley, that the current Green Belt boundaries are protected and supported and so that a robust sequential approach to the release of new sites starts from that position so as to maximise land within settlements and in particular those that are either brown field or previously developed by definition.

Infrastructure/Traffic& Air Quality Issues: (Matter 25 and Matter 26)

The cumulative effects of all the above listed sites will also add unsustainable and unacceptable additional traffic movements in and around the parish of Wymondley. This added to the existing congestion issues, particularly around Junction 8 of the A1(M), and throughout the road network in the parish, will exacerbate existing air quality/pollution issues. Plus, the proposed expansion of London Luton Airport (work is proposed to start on a second terminal in mid-2020) from 18 million to 32 million passengers, will also lead to increased traffic from the A1(M) Junction 8 onto the A602 as a main route to the airport and increased air pollution.

Despite the Main Modification 119, Policy T1 of NHDC's Emerging Local Plan stating:

"planning permission will be granted provided that:

- a. development would not lead to highway safety problems or cause unacceptable impacts upon the highway network and safety;***
- b. mechanisms to secure any necessary sustainable transport measures and / or improvements to the existing highway network are secured in accordance with Policy SP7 (SP7: The Council will require development proposals to make provision for infrastructure that is necessary in order to accommodate additional demands resulting from the development.)"***

- no such consideration appears to have been applied in NHDC's allocation of sites for housing development in the Wymondley Parish area and its immediate neighbours.

Further, Main Modification 369 states:

"Some minor roads leading to and from the villages within Wymondley parish may require other traffic management measures which will also need to be investigated and will be reflected in future iterations of the Infrastructure Development Plan. Mitigation could include environmental improvements to the village centre. The mitigation of these issues will be part of the wider package of measures identified through the wider consideration of network issues concerning A1(M) J8 and alternate routeings to this."

It is unacceptable to plan for these major developments now (WY1, NS1, HO3 etc.) without a robust infrastructure plan in place to accompany these and mitigate adverse impacts on air quality and climate change. It is also potentially dangerous to health, particularly to children. In SP7, MM033, it is suggested that people should "change their behaviour" and walk or cycle instead of using their cars – this is an unrealistic expectation, altruistic at best and is unreasonable, especially re: site WY1 where the resident's homes are some 4 miles from any town centre. It is

certainly unreasonable to expect people to walk 4 miles to train stations to start their commutes to London (for whom the majority of these houses are seemingly being built), particularly in inclement weather.

NHDC's lack of infrastructure plan would appear out of touch with the core planning guidance on "sustainable development" as defined by the NPPF 2012 and Government Planning Guidance. Indeed, NHDC's Emerging Local Plan Strategic Policy SP1, paragraph 4.1 reflects the legal definitions sustainable development as "improving our lives today while not comprising our ability to do so in the future". SP1 also states that they grant planning permission for proposals that, individually or cumulatively: "provide the necessary infrastructure required to support an increasing population" and "secure any necessary mitigation measures necessary that reduce the impact of development, including on climate change".

The current Emerging Local Plan, Main Modifications and other neighbouring authorities' plans affecting the immediate locality of Wymondley Parish, are completely at odds with Policy SP1 for the reasons stated earlier. Put quite simply, humans need to breath clean air, and increasing vehicular movements, in an area where there is existing heavy traffic congestion and air pollution issues, cannot possibly be seen as "improving our lives today" or in the future. Breathing dangerously toxic air in the place that you live or work over a period of time shortens life expectancy as evidenced by Public Health England.

In the Main Modifications of NHDC's Emerging Local Plan Strategic Policy 7 includes a requirement

"for developers to include infrastructure plans for developments to address cumulative impacts that might arise across multiple developments and to avoid placing unreasonable additional burdens on the existing community or existing infrastructure"

- however, no such infrastructure plans have accompanied any plans for site WY1, or any other plans in the locality, suggesting that no developer has a plan, and it would appear NHDC also do not have a plan.

Total additional traffic from the combined sites could total more than 5,000 additional vehicles (or 10,000+ vehicle movements on a daily basis) in an area where the A1(M) and A602 are already at a standstill during peak commuting times. More standing traffic, standing for longer, will obviously increase air pollution levels – levels which are already in excess of the WHO and EU safe legal limits.

On the Bovis Homes plan for site WY1, the pedestrian and cycle access point in the private lane alongside the listed "Croft" dwelling is an agreed vehicular access to Ashwater House and the Lane incorporates a blind bend making it totally inadequate for the purpose suggested. Consequently, the new residents of the WY1 development will find great difficulty with accessing sustainable transport links in the village or their own homes on the occasion of flooding.

OBJECTION TO: Change of Categorisation of Village: (Main Modification 010 & MM012)

The main modification 010 (SP02) now lists the village of Little Wymondley as a 'Growth Village' along with Codicote, Knebworth, Ickleford and Graveley villages to disassociate them from a category A village, yet no public consultation has taken place in relation to this concept and the public are generally unaware that there are now five villages within the Local Plan that are destined to lose their 'Village' status.

Nor has NHDC provided any justification for stating that Little Wymondley and others is now a village that "can support growth". There was no explanation during the NHDC local Plan Examination in Public. The examiner remarked that the local plan seemed unfair that some Category A villages were being expected to have a high level of growth (for Little Wymondley, this growth is 88%), while others had none. Instead of NHDC reviewing this unfairness, and re-distributing house allocations fairly and evenly, they have simply attempted to resolve this issue but changing the classification of 5 villages to "Growth villages" with little regard as to whether these villages could realistically

contribute towards “sustainable” growth (i.e. the harm caused by the development does not outweigh the benefits of the development).

The Examination in Public (EiP) of NHDC’s Local Plan provided a Memorandum of Understanding from NHDC with Bovis Homes to develop site WY1, despite the landowner confirming that it is now unlikely that Bovis Homes would be the final developer. Therefore, deliverability of a readily available site is entirely questionable.

Air Quality:

The EiP introduced a heavily modified report stating, “planning permission would be refused in areas of poor Air Quality”. It is assumed that this refers to Air Quality pollutant levels close to or exceeding the EU maximum allowable. At the EiP the QC representing the NHDC stated that the presence of an Air Quality Monitoring Area was recognised “which is why developments are being considered away from these areas”. Recent monitoring results of the WY1 site area abutting the A602 carried out by the Wymondley Neighbourhood Plan Committee in co-ordination with Friends of the Earth, has established consistent readings following the correct DEFRA process and independently tested. These readings exceed the EU maximum allowable levels of air pollutants.

We welcome Main Modification 153 – Air Quality:

“The following are types of developments for which the Council would expect the submission of an air quality impact assessment: ...

- Anywhere else in the District, applications that are considered to be ‘major’ in scale for example: significantly increase vehicle movements, particularly heavy-duty vehicles; . . .

- Or that: introduce humans to an area where air pollution is an issue, but where humans were previously not present.”

However, this policy seems to have been ignored in large parts throughout the plan, especially in light of Main Modification 010 to Policy SP2 whereby Little Wymondley has been re-categorised as a “Growth Village” – the consideration of Main Modification 153 has not been applied to site WY1.

It also worth noting that the Transport Strategy of October 2017, written by Markides Associates Ltd (MA) on behalf of North Hertfordshire District Council (NHDC) to support the emerging Local Plan recognises there are severe issues:

“These historic towns and links to/from them [sic. roads through the villages] suffer from traffic congestion and some air quality problems. Their ‘environmental capacity’ to accommodate further traffic growth without detrimentally affecting the high quality of the local environment is limited, and a starting point should be managing traffic growth and avoiding significant increases in traffic through the towns where possible.”

In the same report, it also acknowledged that the NHDC Local Plan will indeed increase traffic volume through the Parish of Wymondley. Section 3.44 of the same report also recognises that the roads in Wymondley Parish are “unsuitable” for volumes of traffic:

“Use of unsuitable roads by through traffic

3.44 As with most urban areas, there is some evidence that motorists are using unsuitable roads to avoid delays on congested routes. There are many locations where traffic volumes are probably unsuitable for the nature of the road, but the more ‘strategic’ routes noted in the modelling include:

- ***Routes through Great Wymondley, by which traffic can bypass delays on the A602 between Hitchin and Stevenage;***

- *The B197 through Graveley between Letchworth and Stevenage;*
- *Willow Lane in Hitchin, which can be used by east/west traffic to bypass delays on the A505/A602 route; and*
- *Stevenage Road [sic. in Little Wymondley], which can be used to bypass congestion on the A602 between Hitchin and Stevenage.”*

Despite their own Transport Strategy document highlighting the unsustainability of Wymondley Parish in terms of air quality and transport, NHDC are still including site WY1 in their emerging Local Plan and stating they will address the infrastructure issues “later” – this is simply unacceptable when the adverse impacts on people’s life expectancy is so severe.

MM028 (Policy SP6 “Sustainable Transport”) states:

“We will deliver accessibility improvements and promote the use of sustainable transport modes insofar as reasonable and practicable. We will:

- 1. Comply with the NHDC Transport Strategy and the provisions of the Local Transport Plan and other supporting documents as relevant and considered necessary;*
- 2. Encourage development in locations which enable sustainable journeys to be made to key services and facilities;*

And yet NHDC have decided to add MORE houses to site WY1, which contradicts their own policy above.

Flood Risk:

Little Wymondley Village has suffered regular flooding incidents for more than a century as recorded by the McCloys report on behalf of the Hertfordshire County Council in 2015 following the severe flood event of 2014. There are 82 homes that will likely be affected and many residents along Stevenage Road, Little Wymondley, pay considerably high insurance premiums as a result of these regular events.

Site plans emerging for the development of WY1 show a number of “lagoons” to collect surface water and these are sited higher than Stevenage Road with the potential to flood the homes below. No method to distribute the collected water elsewhere, or to drain it away from the lagoons, is stated within the developer’s proposal. As the development at WY1 is proposed to be on higher ground than the existing Village, it will clearly contribute to increase flooding events for the existing residents.

The proposed and ONLY road to and from the proposed development at WY1 emerges in the worst flood zone within the Village. This area is detailed in the McCloys report and referred to regularly by the Environment Agency in other similarly located planning applications as a major flood zone.

Further, in assessing flood risk in HOU1 (Nov 2014), NHDC state:

4.65 These three sites [site 121 – now known as WY1] have a combined estimated capacity of 439 new homes. Removing these sites from consideration would not, by itself, prejudice the Council’s ability to meet its Objectively Assessed Needs and it is therefore considered highly unlikely that these sites would be required. All three sites are within the Stevenage HMA and in the Green Belt.

Which does beg the question, why are NHDC pursuing this site when there are so many serious issues with it and it is not a large site in view of the total housing level required?

Education:

Little Wymondley currently has a primary school that holds an “outstanding” Ofsted capability. The increased size of Little Wymondley will require an increased FE size provision and a new site is offered by the proposed WY1 development. The proposed site at the south side of the proposed new development will place pupils and teaching staff, close to contaminated land, the known effects of overhead electricity pylons and alongside an illegal Air Quality area. As a consequence of the need for this provision, we request that the Schooling provision and its eventual site is decided upon BEFORE any permission is provided for a development in WY1.

To Summarise

Due to all the reasons given above, we believe that the NHDC Emerging Local Plan and Main modifications are not sound, nor justified.

We believe that the plan to develop the Growth Villages is certainly not justified where the available sites are in the Green Belt and that they should all be removed from the proposed Local Plan. Given that the required housing numbers are out of step with those stated by the Office for National Statistics (ONS) there is clear space within the Local Plan numbers to address this concession.

We further believe that having declared a “Climate Emergency” like so many Local Authorities across the County, the North Herts District Council should reassess their entire Local Plan, to reconsider the impact on the environment and the great importance of the Green Belt for continued carbon sequestration.

Yours Sincerely,



Adrian Hawkins
Chairman & Resident of Wymondley Parish
Save Our Green Belt Group
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