

# Examination of the North Hertfordshire Local Plan (2011-2031)

## Examination hearing sessions

### Statement of North Hertfordshire District Council

#### **Matter 11 – The housing allocations and the settlement boundaries: the Category A villages – Codicote CD1, CD2, CD3 & CD5**

***11.16 Are all of the proposed housing allocations deliverable? In particular, are they:***

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

1. Yes. The landowners of all four sites confirm that they support the allocations and their deliverability for housing in their representation to the Regulation 19 consultation on the plan (ED3, p.14-15 [appendix 1]).
2. A planning application (NHDC reference 17/01464/1) was submitted in June 2017 for Site CD1.

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

3. Yes. No site specific objections to the allocations have been received from the highway authority. All four sites provide opportunities to connect into the existing pedestrian footpath network. Options for securing access to Site CD1 are currently being explored by the landowners.
4. The baseline transport modelling supporting the Local Plan (TI4) does not identify any specific measures as being required in Codicote to support the proposed developments. Notwithstanding this, both the plan (LP1, paragraphs 13.81 and 13.82 p.154) and Transport Strategy (ED14, paragraph 5.31, p.56) recognise that some localised congestion issues caused, in part, by existing parking arrangements in the village centre, may need to be addressed.
5. In response to issues raised through the representations to the Reg 19 consultation regarding the lack of sustainable transport options and use of unsuitable roads leading to the village, it is proposed to ensure that appropriate mitigation measures are put in place as part of any development proposals. This is in accordance with the Council's Transport Strategy (ED14) which aims to reduce car traffic volumes below those informing the transport modelling and identifies a broader suit of potential projects and mitigation measures to ensure the continued operation of the highway network for which reasonable contributions will be sought.
6. A modification inserting a new paragraph after para 13.81 (LP1, p 154) is therefore proposed to the supporting text for effectiveness:

**“Some minor roads leading to/from Codicote may require mitigation. This includes Bury Lane/Park Lane to Old Knebworth, and St. Albans Road. The effects of increased traffic through the village centre could also be off-set by environmental improvements.”**

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

7. Yes. All four sites have been considered through the SHLAA and are considered suitable locations for development having regard to potential constraints (HOU9, site refs CD1, CD2, CD3 and CD5. Appendix 3, pp.24-25 and Appendix 4, pp.33-35).
8. The Infrastructure Delivery Plan (TI1) and Local Plan Viability Assessment Update (TI2) show that these developments are deliverable in infrastructure planning terms. The likely significant environmental affects of allocating the site have been considered through the Sustainability Appraisal (LP4, Appendix 6, pp.552-556 and pp.558-559).
9. Land will be reserved within Site CD5 for a permanent expansion of the village’s primary school. This will provide additional education capacity for all of the sites proposed.
10. No fundamental constraints to development have been identified. Site-specific criteria for these sites are identified in the plan (LP1, Section Four – Communities pp.152-154). These will be supplemented by the generic development management policy requirements that apply to all sites in relation to issues including (but not limited to) affordable housing, housing mix, transport, design and heritage.

***11.17 Are all of the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?***

11. Yes. The proposed housing allocations in Codicote are justified and appropriate. The appropriateness of the individual allocations is discussed below.
12. In broad terms, each allocation in the plan is justified by (see the Council’s Statements on Matters 5, 7 and 9):
  - The need to seek to meet the Objectively Assessed Needs (OAN) for housing as far as is consistent with the policies set out in the NPPF in a district that is currently highly constrained by Green Belt and other considerations;
  - The ‘presumption in favour of sustainable development’ and plan-making requirements set out in Paragraph 14 of the NPPF. Potential adverse impacts and specific policies in the Framework which indicate development should be restricted have been properly considered. Mitigation measures have been identified to address key issues. A balanced planning judgement has been made on the benefits and impacts of each individual site.

## Matter 11 (Codicote), North Hertfordshire District Council

- The significant majority of the deliverable and developable sites identified in the SHLAA (HOU9) being required for allocation if the District is to be able to meet the OAN;
- No preferable, deliverable alternative sites existing which would allow OAN to be met over the plan period in a substantively different way;
- There being no reasonable prospect of other authorities in shared housing market areas being in a position to assist under the Duty to Co-operate should North Hertfordshire have resolved not to meet its OAN in full

13. Codicote is the second largest village in the District. It is included within Policy SP2 (as proposed to be amended) as one of five villages identified for growth over the plan period.

### Site CD1

14. The site CD1 is grade 3 agricultural land and lies to the south of Codicote in an area currently designated as Green Belt.
15. CD1 currently adjoins development on three sides, with residential development to the north and west, farm buildings to the east and agricultural land to the south.
16. Site-specific criteria are identified to address and / or mitigate against potential impacts arising from development of the site (LP1, p.152).
17. The Housing and Green Belt Background Paper summarises the reasons for the selection of site CD1 (HOU1, Appendix 2, p.55). The allocation of site CD1 makes a contribution to the overall housing numbers achievable within the plan and the five-year land supply. On balance, positive opportunities afforded by this site are considered to outweigh harms.

### Site CD2

18. Site CD2 is previously developed land and lies to the north of Codicote in an area currently designated as Green Belt. CD2 currently adjoins development on three sides, with residential development to the south, recreation ground and sports hall to the east, garden centre activities to the north and agricultural land to the west.
19. Site-specific criteria are identified to address and / or mitigate against potential impacts arising from development of the site (LP1, p.153).
20. The Housing and Green Belt Background Paper summarises the reasons for the selection of site CD2 (HOU1, Appendix 2, p.56). The allocation of site CD2 makes a contribution to the overall housing numbers achievable within the plan and the five-year land supply.

Site CD3

21. Site CD3 is Grade 3 agricultural land and previously development land and lies to the east of Codicote in an area currently designated as Green Belt.
22. CD3 currently adjoins development on two sides, with residential development to the south-west and north-east, and agricultural land to the north-east and south-west.
23. Site-specific criteria are identified to address and / or mitigate against potential impacts arising from development of the site (LP1, p.153).
24. The Housing and Green Belt Background Paper summarises the reasons for the selection of site CD3 (HOU1, Appendix 2, p.56). The allocation of site CD3 makes a contribution to the overall housing numbers achievable within the plan and the five-year land supply. On balance, positive opportunities afforded by this site are considered to outweigh harms

Site CD5

25. Site CD5 is grade 3 agricultural land and lies to the west of Codicote in an area currently designated as Green Belt.
26. CD5 currently adjoins residential development to the east and partly along its western boundary, otherwise the boundary is with agricultural land.
27. Site-specific criteria are identified to address and / or mitigate against potential impacts arising from development of the site (LP1, p.153).
28. The Housing and Green Belt Background Paper summarises the reasons for the selection of site CD5 (HOU1, Appendix 2, p.56). The allocation of site CD5 makes a contribution to the overall housing numbers achievable within the plan and the five-year land supply. On balance, positive opportunities afforded by this site are considered to outweigh harms.

***11.18 Are all of the proposed allocations the most appropriate option given the reasonable alternatives?***

29. The proposed allocation of sites CD1, CD2, CD3 and CD5 represent the only reasonable alternatives for the expansion of Codicote beyond its existing limits. HOU1 (Appendix 2, pp.55-56) shows that three other potential sites were considered but not proposed for allocation as the proposed allocations are considered to represent better opportunities as well as a maximum of development for Codicote.

**11.19 Sites CD1, CD2, CD3 and CD5 comprise of land in the Green Belt. For each:**

**a) Do exceptional circumstances exist to warrant the allocation of the site for new housing in the Green Belt? If so, what are they?**

30. Yes. Exceptional circumstances exist to warrant the allocation of land for housing in the Green Belt at CD1, CD2, CD3 and CD5.
31. Under the saved policies of the current District Plan, Codicote is tightly surrounded by the Green Belt. The Council's general case for the existence of exceptional circumstances is set out in its response to Matter 7. The objectively assessed need for housing significantly exceeds the level of development which can be met on development opportunities on brownfield land or contained within existing urban areas or in rural areas beyond the Green Belt.
32. The District is highly constrained by Green Belt and many of the most sustainable locations for new development are within or adjacent to existing higher order settlements as set out in Policy SP2 and supported by Section 4 of the Sustainability Appraisal in (LP4, pp.17-19).
33. Sites CD1, CD2, CD3 and CD5 provide the opportunity to make a contribution to the District's Objectively Assessed Housing Needs. CD5 also has the opportunity to provide land for the expansion of the village school.

**b) What is the nature and extent of the harm to the Green Belt of removing the site from it?**

34. The land surrounding Codicote was assessed as making a moderate contribution to the purposes of the Green Belt by the 2016 Green Belt Review (CG1, Figure 2.8, p.31). However the Green Belt Review also took a fine grained approach to the assessment, further dividing the land into sub-parcels and also assessing individual sites.
35. The assessment found that the contribution of site CD1 was significant for one of the four purposes of Green Belt and assessed with an overall moderate contribution (CG1, p.107 assessed as site reference 29).
36. The assessment found that the contribution of site CD2 was significant for two of the four purposes of Green Belt and assessed with an overall moderate contribution (CG1, p.107, assessed as site reference 205).
37. The assessment found that the contribution of site CD3 was significant for one of the four purposes of Green Belt and assessed with an overall moderate contribution (CG1, p.107, assessed as site reference 32).
38. The assessment found that the contribution of site CD5 was significant for two of the four purposes of Green Belt and assessed with an overall moderate contribution (CG1, p.107 & 108, assessed as site references 31 & 313).

**Table A: Contribution of allocations in Codicote to the purposes of Green Belt**

Site	Green Belt purpose				Overall contribution
	Sprawl	Merge	Countryside	Historic	
Site CD1	Moderate	Moderate	Significant	Limited	Moderate
Site CD2	Significant	Limited	Significant	Limited	Moderate
Site CD3	Moderate	Limited	Significant	Limited	Moderate
Site CD5	Significant	Limited	Significant	Limited	Moderate

***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?***

39. Actions have been specified as site criteria which must be satisfied before the granting of planning permission on the allocated sites.

Site CD1

40. The site-specific criteria for site CD1 (LP1, p.152) include:

- Sensitive integration into existing village, particularly in terms of design, orientation and opportunities for cycle and pedestrian access; and
- Sensitive design, particularly at the north-east of the site, to prevent adverse impact upon setting of Listed Buildings on High Street.

Site CD2

41. The site-specific criteria for site CD2 (LP1, p.153) include:

- Consider and mitigate against potential adverse impacts upon adjoining priority deciduous woodland habitat; and
- Sensitive design taking opportunities to enhance setting of Grade II\* Listed Church of St Giles.

Site CD3

42. The site-specific criteria for site CD3 (LP1, p.153) include:

- Sensitive incorporation of Footpaths Codicote 007 and 008 as perimeter features around the site and a connection from the High Street to the wider countryside.

Site CD5

43. The site-specific criteria for site CD5 (LP1, p.153) include:

- Proposals to be informed by site specific landscape assessment, particularly ensuring development at the south-west of the site does not encroach beyond acceptable limits into longer views across the Mimram valley; and

- Lower density of development to southern edge of site to respect local character.

***d) If this site 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 the site's allocation?***

44. Through the actions specified in the allocation criteria as set out above, the adjacent Green Belt to CD1, CD2, CD3 and CD5 will continue to contribute to the purposes of Green Belt.
45. The assessment of the strategic land parcels and sub-parcels in CG1 shows that land beyond the proposed allocation boundaries already serve Green Belt purposes (CG1, Figure 2.8, p.31 and Figure 3.6, p.66).
46. The adjacent Green Belt land would continue to play an important role in, in particular, safeguarding the countryside from encroachment.

***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?***

47. The extent to which existing settlements might be further expanded in order to meet future need is finite particularly given the dense settlement pattern in existence at the more sustainable locations in the west and central areas of the District.
48. The review and release of land undertaken as part of this plan would extend Codicote to its logical limits given the proximity to Welwyn, the location of local heritage assets and topography of local landscape.
49. The remaining land within the Green Belt assessed as sub-parcels 5a and 5b by CG1 respectively provide a significant role in preventing encroachment into the countryside.
50. The Plan recognises that, in the longer-term, continual incremental additions to existing settlements may not be the best solution (LP1, paragraph 4.100, p.50). It is presently anticipated that alternative options for accommodating growth in future plan periods are likely to first necessitate exploration of a new settlement approach and the operation of the Duty to Co-operate rather than pursuing further expansion of settlements located within the Metropolitan Green Belt. However, each settlement will need to be assessed for further expansion capacity to inform this process.
51. It is the intention of the plan that the Green Belt boundaries amended by the plan to accommodate growth of settlements will endure beyond the plan period in order to continue to ensure the Green Belt continues to perform its key strategic functions.

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

52. Green Belt boundaries have been determined with a view to achieving the most sustainable pattern of development. The new Green Belt boundaries have been established in order to accommodate the reasonable maximum of development that can be accommodated within the District at the present time in accordance with the settlement hierarchy.
53. This seeks to allocate development to higher order settlements in the first instance in accordance with Policy SP2 (as amended) and supported by the Sustainability Appraisal in (LP4, Section 4). This approach to the distribution of development and the establishment of enduring Green Belt boundaries is supported as the most sustainable approach to achieving the development needs over the plan period.

***g) Has the Green Belt boundary around the site 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?***

54. Every effort has been made to clearly define the Green Belt boundaries around allocated sites using physical features such as roads and watercourses that are readily recognisable and likely to be permanent.
55. Where no such permanent features exist, or where use of such features would necessitate release of substantial additional land beyond the proposed allocation boundary from the Green Belt, it has been necessary to use semi-permanent existing features such as field boundaries, hedgerows, public rights of way and / or tree belts.
56. Where no features exist the allocation criteria specify that the allocation should seek to establish a landscape feature that will sufficiently contain the site and be identifiable as the Green Belt boundary such as through the establishment of hedgerows or tree belts.

Site CD1

57. The Green Belt boundary is defined by field boundary hedgerows along the southern and eastern borders of the site. (The western and northern boundaries of the site abut the settlement edge of Codicote).

Site CD2

58. The Green Belt boundary is defined by existing fences along the north and east boundaries and the B656 High Street along the western boundary. (The southern boundary of the site abuts the settlement edge of Codicote).

Site CD3

59. The Green Belt boundary is defined by field boundary hedgerows along the northeast and southeast borders of the site. (The northwest and south west boundaries of the site abut the settlement edge of Codicote).



Site CD5

60. The Green Belt boundary is defined by Heath Lane along the northern edge, PRow Codicote 016, hedgerows and fencing along the western edge and a mix of rear gardens and hedgerows along the southern edge. There are gaps in the defined boundary along the west and south edges where no existing form of demarcation exists and where a robust edge/boundary will need to be created to form the inner Green Belt boundary.

**11.20 Is the proposed settlement boundary:**

**a) consistent with the methodology for identifying the settlement boundaries?**

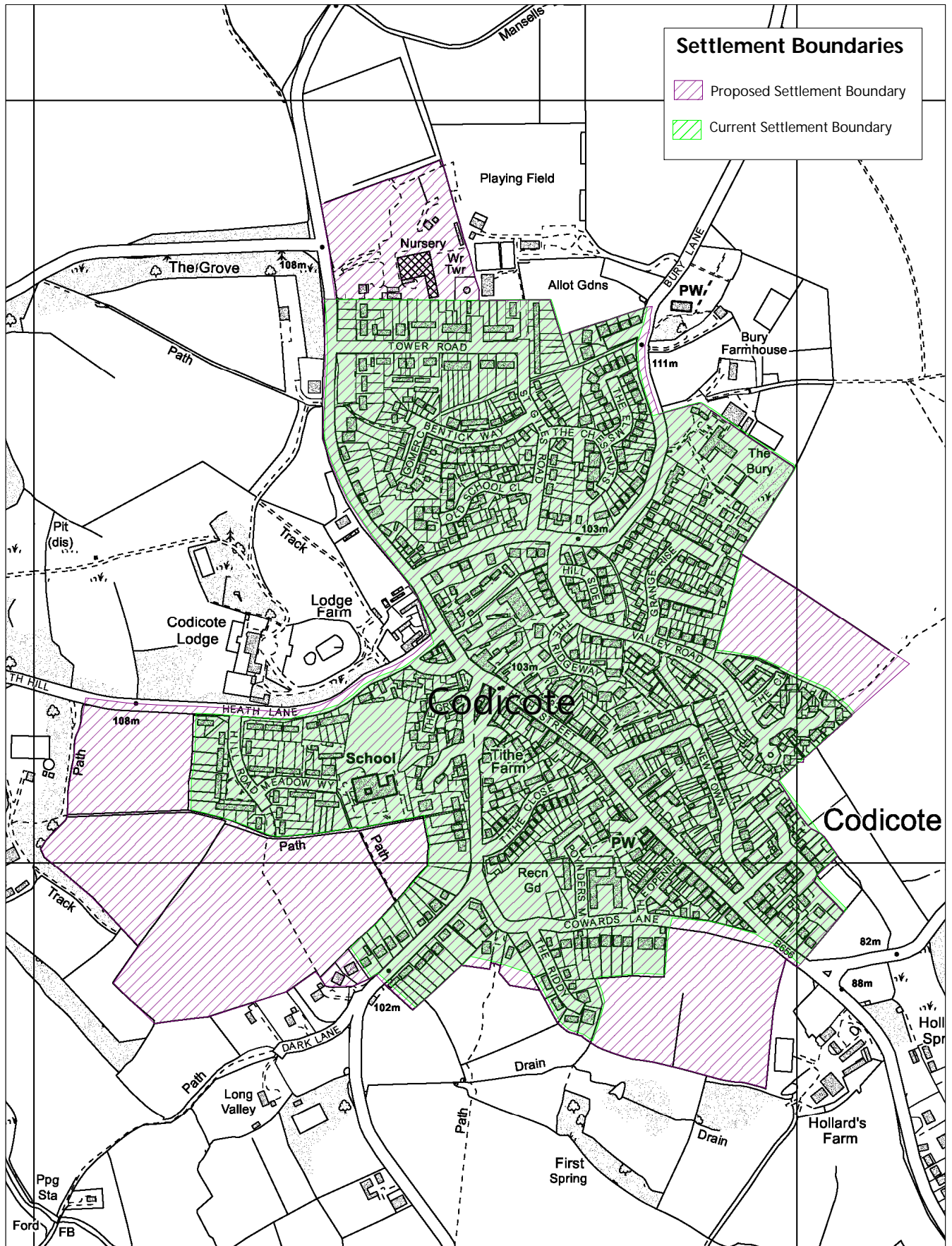
**b) appropriate and justified?**

61. Changes to the settlement boundary are almost exclusively related to the new allocations proposed for Codicote. The approach to establishing Green Belt boundaries around the new allocations is discussed in the Council's answer to question 11.19 above.

62. The only further change proposed is at the south of Codicote where the existing Green Belt boundary cuts across the middle of two residential gardens. It is proposed to amend the Green Belt boundary to follow the outer edge of these properties.

63. A map showing the existing and proposed settlement boundaries for Codicote is attached to this Statement as Appendix A to aid interpretation.

**Appendix A: Current and proposed settlement extent of Codicote**



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