

## Draft Local Plan Proposed Submission Document

<b>Event Name</b>	Draft Local Plan Proposed Submission Document
<b>Comment by</b>	Save Symondshyde Group (Mr John Gardner)
<b>Comment ID</b>	dlpps685
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<b>Consultation Point</b>	Policy SP 3 Settlement Strategy and Green Belt boundaries ( <a href="#">View</a> )
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<b>Version</b>	0.1

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**Do you consider the draft Local Plan is legally compliant?** No

**If no, is this because it is NOT: (see guidance notes for respondents)**

- . Prepared in accordance with the Local Development Scheme
- . Prepared in accordance with the Statement of Community Involvement
- . Compliant with the Duty to Co-operate
- . Accompanied by a compliant Sustainability Appraisal

**Please give details of why you consider the draft Local Plan is not legally compliant. Please be as precise as possible. (Attach supporting documents if necessary).**

please see our comments entered under SP24

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**Do you consider the Local Plan is sound?** No

**If no, is this because it is NOT: (see guidance notes for respondents)**

- . Justified
- . Consistent with national policy

**Please give details of why you consider the draft Local Plan is either sound or unsound. Please be as precise as possible. (Attach supporting documents if necessary).**

Detailed statement:

Introduction

1. Paragraph 6.2 states that “*Green Belt boundaries in the borough have been altered, where exceptional circumstances existed, through this Plan.*” Policy SP3 goes on to identify Symondshyde, which is in the Green Belt, as the location for a new village.

2. What constitutes exceptional circumstances for altering Green Belt boundaries is referred to in general terms in paragraph 5.7 of the Plan. We give reasons for disputing that the necessary exceptional circumstances have been demonstrated, particularly in the case of Symondshyde, in our comments on Policy SP2 and its supporting text.

3. Paragraph 6.3 makes a very strong statement in support of Green Belt policy:

*The continuing maintenance of the general extent of the Green Belt, keeping land permanently open, preventing urban sprawl and neighbouring towns and villages from merging into one another, safeguarding the countryside from encroachment, preserving the setting and special character of historic towns and assisting urban regeneration by encouraging the recycling of urban land are key local priorities.*

We strongly support this statement, which accords with national policy. However, it is apparent from the evidence used in support of the Draft Local Plan that the Council has not applied these priorities fully in deciding to allocate the land at Symondshyde for a new settlement.

#### Green Belt purposes

4. A joint Green Belt Review Purposes Assessment for Dacorum, St Albans and Welwyn Hatfield was carried out by consultants Sinclair Knight Merz (SKM) in November 2013. Strategic parcels of land in the area of the study were identified for assessment against four of the five purposes of including land in the Green Belt specified in paragraph 80 of the NPPF. The fifth purpose, of assisting urban regeneration by encouraging the recycling of derelict and other urban land, was omitted on the grounds that that it applied equally to all Green Belt sites and was not therefore a differentiating factor. However, we maintain that the fifth purpose should have been included in the assessment because it adds to the contribution that all Green Belt sites make to the purposes of the Green Belt.

5. Instead, SKM substituted the ‘local’ purpose of maintaining the existing settlement pattern. The reason for this is explained in paragraph 2.9.1 of the Jacobs (formerly SKM) *Welwyn Hatfield Green Belt Review Stage 2 (Sites): Method Statement*, which states that this purpose was a planning objective in the 1998 Hertfordshire Structure Plan and continues to be articulated within local policy. We agree that this is an important purpose in the context of Hertfordshire’s settlement pattern.

6. The Symondshyde site lies at the centre of strategic parcel GB43A, which extends from the north west tip of Hatfield to the villages of Wheathampstead and Sandridge in St Albans district – an area of 1,232 hectares forming a large-scale undulating chalk plateau with very limited evidence of built development. The SKM report assessed the contribution of parcel GB43A to the Green Belt purposes as:

1	To check the unrestricted sprawl of large built-up areas -	Limited or none;
2	To prevent neighbouring towns from merging -	Partial;
3	To assist in safeguarding the countryside from encroachment -	Significant;
4	To preserve the setting and special character of historic towns -	Limited or none;
5	To maintain the existing settlement pattern -	Significant.

Thus, the contribution of parcel GB43A to one of the four national Green Belt purposes was assessed as significant, as was the contribution to the local purpose of maintaining the existing settlement pattern. We would not disagree with this assessment.

7. In October 2014, the Council published the Welwyn Hatfield Green Belt Review: Stage 2. This study comprised a purposes assessment of 67 sites in the borough, taking into account the results of the Part 1 study (the SKM Green Belt Purposes Assessment) and a range of Green Belt sites identified in the Strategic Housing Land Availability Assessment (SHLAA). The Symondshyde (Hat15) site was not among those considered, not having been formally proposed at that stage.

8. However, a Welwyn Hatfield Green Belt Purposes Review: Stage 2 Addendum paper was produced in June 2016, assessing the further ten Green Belt sites identified in the Housing and Economic Land Availability Assessment (HELAA), including the Hat15 site. This was accompanied by a Green Belt Review Stage 2 Addendum Site Assessments paper that summarised the assessment of each site under various headings. We have the following comments on the findings in these documents.

9. Part 1 Study – Key Findings: preventing merging. This is shown as ‘partial’ on the first page of the Site Assessment for the Hat15 site, but ‘limited or no’ on the second page. Under the classification terminology in section 2.9 of the Jacobs (SKM) report referred to in paragraph 5 above, the assessment should be ‘partial’ at least, on the basis that Symondshyde is located in a secondary local gap (between a 1st tier settlement, Hatfield and a 2nd tier settlement, Wheathampstead). However, we maintain that the assessment under this heading should be ‘significant’. The precedent for this was set by the Secretary of State’s recent decision (15 June 2016) in the case of an appeal by Sawston Solar Farm Limited concerning Land north of Dales Manor Business Park, West Way, Sawston, Cambridgeshire (Appeal A: APP/W0530/W/15/3012014). The application the subject of this appeal had been refused by the local planning authority for reasons including that the proposed development would lead to encroachment into the Green Belt and countryside that would result in the coalescence of the villages of Sawston and Babraham through loss of visual separation. The Inspector found that the development would conflict significantly with the Green Belt purpose of preventing neighbouring towns from merging (IR61), and the Secretary of State agreed that the proposal would conflict significantly with the second purpose of the Green Belt (decision letter, paragraph 11).

10. The Symondshyde Hat15/SDS6 site would be visible from Hatfield, just as Hatfield is visible from the site, and this would be particularly so if the North West Hatfield (SDS5) site is developed as proposed. There would then be only a 1 kilometre gap between the two settlements, and by the Council’s own admission, this could lead in the longer term to Symondshyde coalescing with North West Hatfield.

11. Part 1 Study – Key Findings: Settlement pattern. The Part 1 Study finding that strategic parcel GB43A, of which Hat15 form part, makes a significant contribution to maintaining the existing settlement pattern has been downgraded to ‘partial’ for the Hat15 site in the Part 2 assessment. For the reasons given in paragraph 10, we consider that the Symondshyde development would have a significant impact on the local settlement pattern. This is particularly so when all the development proposals, consequent infrastructure provision and mineral workings in the gap between Welwyn Garden City/Hatfield on the one hand and St Albans/Sandridge/Wheathampstead on the other are taken into account.

12. Potential for adjustment to site boundaries. Table 4 in the Green Belt Purposes Review Stage 2 Addendum report lists Hat15 Symondshyde Farm among those sites considered to have potential for sub-division. The Addendum Site Assessment pro forma for Hat15 indicates that the eastern boundary of the site could be pulled back to a public right of way and hedgerow to the north west, while the northwestern boundary could be pulled back to a tree belt and hedgerow within the site, in order to provide a stronger boundary. This demonstrates that the site as presently defined lacks clear, defensible boundaries to a large extent. We enlarge on this in paragraph 14 below.

13. The conclusion to be reached from paragraphs 4–12 above is that the Hat15 site makes a significant contribution to two of the national purposes of the Green Belt (safeguarding the countryside from encroachment and preventing neighbouring towns from merging) and a significant contribution to the local purpose of maintaining the existing settlement pattern. This is more than sufficient to disqualify the Symondshyde site from further consideration for development.

#### Hat15/SDS6 site - Green Belt boundary

14. The Housing Sites Selection Background Paper, June 2016 sets out, in Table 2, the relative strength of the physical features used to assess Green Belt boundaries. On this basis, only the ancient woodland to the west and south west of the site forms a strong boundary, and this is not as strong as claimed because only about 10% of the woodland (up to 15 acres out of about 150) is classified as ancient. The unclassified Hammonds Lane/Symondshyde Lane, rights of way, remnants of woodland, hedgerows and brooks/ditches are only moderate or weak features. The long south eastern boundary facing Hatfield, which overlooks the large, gently sloping open area between the site and Coopers Green Lane, has no significant features that would provide a strong, defensible boundary to the Green Belt.

15. The proposal to exclude Symondshyde village from the Green Belt is cause for concern. If it were to be excluded, rather than treated as a Green Belt village, there is a danger that housing densities could be intensified in the future, increasing the population and making the village even more unsustainable through lack of infrastructure. The weakness of the Green Belt boundary around it could lead to further erosion of the Green Belt and eventual coalescence with north west Hatfield.

#### Housing and Employment Land Availability Assessment

16. In June 2016, the Council produced a Housing and Economic Land Availability Assessment (HELAA). This document updated the 2014 SHLAA which had been used to inform the 2015 Local Plan Consultation Document. The purpose of the HELAA was to identify sites with potential for development to inform policy decisions about the strategy for future growth in the borough. A Housing Sites Selection Background Paper was produced at the same time, to combine the HELAA conclusions with other evidence base study conclusions to arrive at an overall appraisal of sites.

17. We consider the HELAA to be deeply flawed with regard to its assessment of the Hat15 Symondshyde site. Section 2.4 of the HELAA report explains that a number of changes were made to the methodology for assessing the suitability and development potential of sites within the HELAA in contrast to previous SHLAA studies. These included removing the findings of the two Green Belt Reviews from the HELAA and instead factoring them into the overall appraisal of sites in the Housing Sites Selection Background Paper. Moreover, while previous SHLAA Phase 2 studies included sites adjoining or close to the urban boundary, and such sites were still assessed in the HELAA Stage 2 assessment, identifying and assessing the potential new Green Belt boundaries was a separate consideration contained within the overall appraisal of sites set out in the Housing Sites Selection Background Paper.

18. Section 2.5 of the HELAA sets out the criteria used to decide which sites failed the Stage 1 assessment. The first criterion is that a site is not within or adjoining a settlement excluded from the Green Belt. According to the list of sites that failed the Stage 1 assessment in Appendix D of the HELAA, 68 potential housing sites in the Green Belt were rejected on that ground alone. While we are not suggesting that any of those sites would be suitable for development (we are not in a position to judge that), it is salutary to note that the Symondshyde site would have failed on this same criterion had it been assessed on a level playing field basis.

19. However, Welwyn Hatfield Council chose to introduce a second criterion at the HELAA stage, that an exception should be made for sites capable of forming a new excluded settlement. No explanation or justification for making this exception is given. The first criterion is justified on the basis that: *“settlements excluded from the Green Belt are all considered to be sustainable locations and have a better level of facilities and public transport links than the smaller villages, hamlets and countryside washed over by the Green Belt which are more likely to be deficient in or remote from existing services.”*. As we demonstrate in our response to Policy SP24, Symondshyde would be deficient in and remote from services, lacking a sufficient level of facilities and public transport links, and is therefore more comparable to a smaller village than to an existing settlement excluded from the Green Belt. We consider it to be a perverse decision to make this differentiation between sites not within or adjoining excluded settlements and an isolated, free-standing site in the Green Belt.

20. The result was that the Hat15 site was automatically carried forward to the Stage 2 assessment. This was based on the suitability, development potential, availability and achievability of sites. The Hat15 site was one of 48 potential housing sites in the Green Belt that passed the Stage 2 assessment (HELAA, Appendix B). The site was assessed as suitable, available and achievable. A summary of the policy constraints, physical constraints and potential environmental impacts applying to the Hat15 site is given in Appendix G Rural North of the HELAA.

21. We contest the assertion that the Hat15 Symondshyde site is ‘suitable’ for the type of development proposed. As we argue above and in our response to Policy SP1, insufficient weight has been given to the fact that the site is located in the Green Belt. We set out in our response to Policy SP24 the reasons for questioning the Council’s conclusions about the physical constraints and potential environmental impacts of the site. For example, the physical constraint of minerals is listed in Appendix G, with the comment that there is a need to consider the cumulative impacts of extraction from the Hat1, Hat2 and Hat15 sites, but the Hat15 site has been allocated for development without this being done.

22. The Hat15 site represents nearly 10% of development potential for housing in the borough (HELAA, paragraph 5.2.4.). This is disproportionately high compared with Welwyn Garden City and Hatfield (each nearly 33%), and is inconsistent with the Council’s claims of focusing new development in and around the two towns and maintaining the Green Belt. Scrutiny of the policy constraints, physical constraints and environmental impacts applying to the Hat15 site leads to the conclusion that the site has been selected solely on the basis that it is available and achievable (although we question both of those factors elsewhere in our submission).

Housing Sites Selection Background Paper, June 2016

23. The Housing Sites Selection process used a weighting system (paragraph 1.2 of the paper) based on:

- 1 The HELAA;
- 2 The Green Belt Review Stages 1 and 2;
- 3 An appraisal of Green Belt boundaries;
- 4 The Sustainability Appraisal (significant positive and negative effects);
- 5 Flood risk;
- 6 Strategic advantages and disadvantages.

24. We question the weighting system used in relation to the Green Belt. Table 5 in paragraph 9.8 attributes weightings to the contribution each site makes to the Green Belt purposes. Apart from the fact that inverted logic has led to weightings “against” being given to the positive contributions, and vice versa, we consider that the weightings should be:

- 1 1 significant national purpose – no different from 2 significant national purposes, because the NPPF does not attach any hierarchy to the purposes, so that they are all assumed to be of equal importance, and significant contribution to one purpose is assumed to be as important as cumulative significant contributions;
- 2 2 partial national purposes and/or a significant local purpose – this should be “moderate” rather than “minor”;
- 3 1 partial national purpose and a partial local purpose – this should be “moderate” rather than “minor”.

The end result of the weightings attributed by the Council is to give lower significance to the contribution each site makes to Green Belt purposes than should be the case.

25. The following extract from the paper is significant with regard to the Symondshyde new village site:

*8.5 Sites that are not contiguous with an urban settlement boundary or where the opportunity does not exist to redefine Green Belt boundaries are also sieved out at the first Stage of the HELAA assessment as they would not direct growth to the most sustainable locations within the borough consistent with the objectives of the NPPF. This means that sites located within remote rural areas, or in villages that are washed over by the Green Belt are not carried forward to the second stage of assessment in the HELAA.*

*8.6 The exception to this is if sites are large enough to create a sustainable new village or, in the case of Gypsy and Traveller sites, as national planning policy allows such sites to be inset within the Green Belt and these do not necessarily need to adjoin an existing urban boundary in order to be considered suitable for allocation.*

26. There is no basis in national policy for making an exception if sites are large enough to create a sustainable new village. Paragraph 52 of the NPPF states:

*The supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities. Working with the support of their communities, local planning authorities should consider whether such opportunities provide the best way of achieving sustainable development. In doing so, they should consider whether it is appropriate to establish Green Belt around or adjoining any such new development.*

27. We dispute the suggestion that the Symondshyde proposal follows the principles of garden cities or represents sustainable development. At around 1,100 dwellings with a small neighbourhood centre, a community centre and leisure facility and a primary school, it lacks the critical mass necessary to form a truly sustainable development. As we demonstrate in our response to Policy SP24, the residents of the new village would have to travel to the surrounding towns or even further afield for employment, major retail, health, secondary education, leisure and other facilities. A ‘garden city’ would expect to be self-sufficient to a considerable extent for most of these facilities.

28. With regard to the support of their communities, the Council claim that the decision to incorporate the Symondshyde proposal in the Draft Local Plan was partly due to public responses to the Local Plan Consultation Document 2015 calling for development to be more dispersed around the borough and for the creation of a new Garden City somewhere in the borough or beyond. The Council’s response in the LPCD 2015 Consultation Statement August 2016 was:

*There aren't any opportunities in Welwyn Hatfield for a new garden city of a similar scale to Welwyn Garden City to its equivalents elsewhere; however, the LPPS 2016 identifies a potential new garden village at Symondshyde, north-west of Hatfield. A garden city outside the Borough lies beyond the scope of Welwyn Hatfield Local Plan.*

29. While we agree that a new garden city within Welwyn Hatfield borough is completely impractical, the proposed 'garden' village at Symondshyde does not provide a suitable alternative and is not what people had in mind when calling for more dispersed development. A significant proportion of the 'community', including a large number of residents living outside the borough (in St Albans district) who are closer to and more directly affected by the Symondshyde development, are opposed to this loss of countryside and Green Belt.

30. NPPF paragraph 84 states:

*When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.*

The Symondshyde proposal does not fit any of these categories. It is not in an existing urban area or within an inset town or village, and it is not in a location beyond the outer Green Belt boundary. Instead it lies within the Green Belt, and as we demonstrate below, it has a significant impact on the purposes of the Green Belt.

31. The Housing Sites Selection Background Paper sets out settlement conclusions, based on the weightings given to the six strands of evidence and appraisals referred to above. The settlement conclusions for Hat15 are stated in paragraph 19.22, Table 43 as:

*Symondshyde – new village - Reason: Opportunity to deliver a free-standing village and make a significant contribution to the need for housing alongside community infrastructure.*

This is a completely inadequate justification for such a substantial development in such a significant location.

32. The site conclusions for Hat15 are given in Appendix K to the Housing Sites Selection Background Paper. The conclusions are set out in a table divided into the six sources of evidence/appraisal. We consider these conclusions in respect of the Hat15 site to be deeply flawed, in the following respects:

- 1 HELAA Assessment: In spite of the site's achievability being uncertain due to viability, and a list of five major impacts/constraints requiring mitigation, the site is attributed moderate/minor weight in favour, solely on the basis that it could come forward within years 6-15 of the Plan period. Given the other factors of the site being Green Belt and mainly greenfield, we consider that this assessment should be against development.
- 1 Green Belt Review Parts 1 and 2: Given that the site makes a significant contribution to the national purpose of safeguarding the countryside from encroachment and a partial contribution to the local purpose of maintaining the existing settlement pattern (which we argue above should be 'significant'), significant (rather than moderate) weight against should be attributed to the site.
- 1 Green Belt boundary appraisal: The fact that the site is surrounded by Green Belt makes this even more of an issue than if it was contiguous with existing development. Taking into account our comments on the lack of clear, defensible boundaries (paragraph 14 above), we consider this assessment should be moderate/significant against, rather than minor weight against.
- 1 Sustainability Appraisal: We disagree that factors 4.2, 4.3 and 6.6 are significant positives because we regard them as unachievable, for reasons given elsewhere in our submission. We agree that factors 4.4, 4.5 and 4.6 are significant negatives, but dispute that the mitigation factors assigned to them are practicable, for the reasons given elsewhere.

1 Strategic advantages/disadvantages: We reject the idea that the provision of a primary school, shop and community building on the site confers any strategic advantage. They will merely help to meet needs generated by the development itself, and in fact there will be a net deficit of education, retail, health, community and leisure provision. None of the strategic advantages/disadvantages listed in Table 9 of the Housing Sites Selection paper fit the situation found in the proposed Symondshyde village.

33. For the above reasons, we fundamentally disagree with the Council's conclusion in Appendix K that on balance, the benefits of the Hat15 Symondshyde site mean that it should be considered for allocation.

### **Conclusions**

34. For all the above reasons, we consider that the Draft Local Plan fails the test of soundness on grounds of not being justified by the evidence and not consistent with national policy.

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**Please set out the changes you consider necessary to make the draft Local Plan legally compliant or sound including revised wording of any policy or text. Be as precise as possible. (Please note that any non-compliance with the Duty to Co-operate cannot be rectified at the examination). You will need to say why the change will make the draft Local Plan legally compliant or sound. (Attach supporting documents if necessary).**

Delete "A location for a new village at Symondshyde to the north-west of Hatfield has been identified on the Policies Map." from Policy SP3.

Delete "Symondshyde" from the Settlement Hierarchy table, list of settlements.

Delete "Symondshyde will be a new small village excluded from the Green Belt which will deliver a small service centre and a limited range of local employment opportunities, services and facilities." from the Settlement Hierarchy table.

Delete "A new village at Symondshyde has the same place within the hierarchy as the existing small excluded villages reflecting the level of services and facilities likely to be delivered alongside new homes." from paragraph 6.5.

Delete the figure of 1,130 units or whatever figure has been attributed to location SDS6 (Symondshyde) from Table 2: Distribution of housing growth.

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**If your representation is seeking a change, do you consider it necessary to take part and speak at the examination hearing?** Yes, I wish to take part in the examination hearing, if invited to do so by the Inspector

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**If you wish to take part in the examination hearing, please outline why you consider this to be necessary:**

please see our comments under SP24

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**Do you wish to be notified of any of the following:**

- . When the Welwyn Hatfield Local Plan has been submitted for independent examination.
- . When the Inspectors Report of the Welwyn Hatfield Local Plan is published.
- . Adoption of the Welwyn Hatfield Local Plan.

**We welcome your comments on our consultation** Yes  
**- would you like to complete our short feedback form? (If submitting more than one comment, please complete the feedback form once only.)**

**How did you hear about this consultation?** . Word of mouth

**We monitor the effectiveness of our consultation.** No  
**Have you found this consultation helpful?**

**What do you think we can do to improve our consultation?**

openness and a genuine commitment to community involvement and communication