

Mr. Robert Howard.

Matter 23 – the Green Belt Review work and the site selection process

23.1 Paper B of the Council's response to my letter of 9 July 2019 explains how the Council's assessments of the contribution of land parcels to the purposes of including land in the Green Belt has been taken into account through the process of selecting sites for development. As I understand it, and in short summary, this has been a two-stage process:

Stage 1 – an initial 'sift' through the Strategic Housing Land Availability Assessment, involving an assessment of the 'suitability' of sites including in relation to Green Belt factors.

WY1, Five year housing-land supply NHDC. NHDC are running out of time for their current five-year land supply and are trying to push the developments forward.

The Local Plan examination has and will continue to proceed under the policies and guidance contained in the 2012 version of the National Planning Policy Framework (the NPPF). The Green Belt boundaries in North Hertfordshire were last reviewed when the District Plan 2nd Review was adopted in 1993. Until such time as any new Plan for the District is adopted, a number of its proposed housing allocations remain within the Metropolitan Green Belt. As set out in both the NPPF and NPPF2, the provision of new housing within the Green Belt is 'inappropriate development' in many instances. Planning permission in such cases can only be granted where *very special circumstances* have been demonstrated². It has been Government policy for a number of years that housing need alone does not represent *very special circumstances*. **NHDC have simply not shown any Very Special Circumstances to develop WY1 in both the local plan and the Main Modifications. I fail to see how NHDC can remove WY1 from the Green Belt simply to meet their projected housing needs and the five-year land supply.**

The Council maintains its position that the current suite of sites "*makes maximum use of reasonable and available development sites*" (LP1, p.224, paragraph 14.34). Of the sites considered suitable and available for consideration at the time of plan preparation, the sites not carried forward for development were largely:

- Further sites in villages already considered to be receiving an appropriate maximum of development from other proposed allocations; or
- In areas of flood risk that would be subject to the sequential and exception tests set out in national policy.

Flood zone maps are produced by the Environment Agency. These maps define flood zones 1, 2 and 3, according to the NPPF. North Hertfordshire's SFRA defines flood zone 3b. Proposals for development in an area at risk of flooding may be refused planning permission where it increases flood risk or conflicts with the sequential approach set in the NPPF.

Where development is proposed in an area at risk from flooding, the applicant will be required to demonstrate that the site passes the flood risk Sequential Test before providing a Flood Risk Assessment (FRA) as part of the planning application submission.

The flood risk Exception Test may also need to be demonstrated at this stage. An FRA is applicable to development over 1 hectare in flood zone 1 and all types of development in flood zones 2 and 3. Flood risk impacts should be taken into account for the lifetime of the development, and consideration given to the mitigation that needs to be provided for the increased future flood risk with predicted climatic changes.

**Hertfordshire County Council
Flood Investigation Report
Little Wymondley, Hertfordshire**

Investigation into the February 2014 Little Wymondley Floods.

07 November 2014 Rev 04
ERP-INV-04 Little Wymondley

As defined under section 6, subsection 13 of the Flood and Water Management Act, a risk management authority has certain powers to manage, regulate, assess and mitigate flood risk. HCC has identified the following risk management authorities as part of this **section 19 flood investigation:**

- Hertfordshire County Council as Lead Local Flood Authority
- North Herts District Council
- Stevenage Borough Council
- Hertfordshire County Council as Highway Authority
- Thames Water
- Anglian Water
- Highways Authority (A1M)

Date of flood events: Historic Little Wymondley Floods in recent years.

Dec 2019 and Jan 2020. Feb 2014. Dec 2013.
2000/01. 1993. 1988. 1978. 1968. 1956. 1947. 1926. The flooding occurred four times, two times in the latter 5 years.

Little Wymondley has a history of flooding along Priory Lane and Stevenage Road. The latest floods in Priory Lane and parts of Stevenage Road occurring in Dec 2019 and Jan 2020. These latest floods have triggered a Section 19 flood investigation the same as the “07 November 2014 Rev 04, ERP-INV-04 Little Wymondley” again by HCC.

The access road leading to WY1 is proposed to be build joining Stevenage Road which has been designated a Flood Zone 3b (Fluvial) flood Zone site.

In August 2015 HCC Commissioned “McCloy’s Consulting, Water Engineering Solutions” to carry out a “Flood Alleviation Feasibility Study, Little Wymondley, August 2015/MCL250-07_DG03”.

Both studies are available on line for scrutiny.

For the reasons highlighted in red above I believe both the Local Plan and the Main Modifications are unsound, and WY1 should be omitted from the Local Plan.

• A reduction in the proposed housing requirement in Policy SP8 to 14,000 homes to reflect a realistic level of housing delivery. **As NHDC have recognised that the true OAN for the local plan is 14,000 and stated** “The only achievable way forward is therefore to annualise the remaining housing requirement (the *Liverpool* approach) and then step this as set out above. Due to the delays in the examination, and based upon current information, the Council regrets that around 2,000 homes originally intended to be delivered within the Plan period under the trajectory submitted in June 2017 are now unlikely to be brought forward by 2031.” **NHDC intend to reduce the overall housing development in their Local Plan by 2,000 I now believe it is reasonable to omit WY1 from the Local Plan.**

Stage 2 – to assess the contribution that areas and potential development sites make to the purposes of including land in the Green Belt (through the Green Belt Review and the Green Belt

Review Update 2018) to help inform the judgement about the existence or otherwise of the exceptional circumstances necessary to warrant the ‘release’ of the land in question from the Green Belt Paper B of the Council’s response also explains how the Sustainability Appraisal has considered matters relating to the contribution land parcels make to the purposes of including land in the Green Belt.

- a) Have I understood the approach taken correctly?
- b) Is the approach taken reasonable, adequately robust and consistent with national policy?

c) 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.

23.2 The Green Belt Review Update 2018 arrives at some different conclusions to that of the original Green Belt Review. Some sites are now considered to make a significant contribution to the purposes of including land in the Green Belt (which were previously assessed as making a lesser contribution).

a) Should the change in the assessment of these parcels of land (including the safeguarded land to the west of Stevenage) lead to their allocation for development/identification as safeguarded land in the Local Plan being rejected?

b) If so, and bearing in mind the methodology used, why does the change in the assessment render the Local Plan unsound in this respect?

NHDC have simply not shown any Exceptional Circumstances or Very Special Circumstances to develop WY1 (and new additional land) in both the Local Plan and the Main Modifications. I fail to see how NHDC can remove WY1 (and new additional land) from the Green Belt simply to meet their projected housing needs and the five-year land supply.

A referendum was held in the parish of Wymondley on Thursday, 29 August 2019 to decide on the question below: -

‘Do you want North Hertfordshire District Council to use the Neighbourhood Plan for Wymondley to help it decide planning applications in the neighbourhood area?’

The result of the Wymondley Neighbourhood Plan Referendum was a YES vote in favour of NHDC using the Wymondley Neighbourhood Plan to help it decide planning applications in the neighbourhood area.

The turnout was 28.74% of the 901 electorate,

The number of votes cast in favour was 238; with 16 votes against.

Clare Skeels has notified me that, on 26 September 2019, Ian Fullstone (NHDC Service Director - Regulatory) formally took the decision to "make" the Wymondley Neighbourhood Plan. This means it is now part of the statutory development plan for the District, (the Local Plan), and will be a material planning consideration when considering development proposals in the designated neighbourhood planning area of Wymondley.

As you can see the Parish of Wymondley now has a fully functional Neighbourhood Plan. There is no mention what so ever in the Local Plan and the Main Modifications to the Wymondley Neighbourhood Plan, which now forms part of the planning law in regard to development within the Parish of Wymondley. All planning applications in Wymondley including WY1 must be tested against the Wymondley Neighbourhood Plan. The Wymondley Neighbourhood Plan clearly states the wishes of the Wymondley Parishioners to protect the Green Belt the Wymondley Neighbourhood Plan was broadly based on a survey carried taken during 2015, see below. For this reason alone, I believe the Local Plan and the Main Modifications are unsound and the WY1 should be omitted from the Local Plan.

- **"In July 2015, we conducted a survey of each property in the Parish, providing a questionnaire which sought views on how residents would like to see their village develop over the coming years. The survey results conclusively identified the following key issues as being the top five in terms of importance to parishioners:"**
 - **92% of respondents want to preserve the Green Belt in its current form.**
 - **72% of respondents are concerned about flooding in Little Wymondley.**
 - **70% of respondents are concerned about traffic management.**

The Wymondley Neighbourhood Plan is available on line for scrutiny at www.wymondley.org or www.wymondleypc.org or NHDC's website.