

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 – Breachwood Green KW1

11.11 Is the proposed housing allocation deliverable? In particular, is it:

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

1. Yes. The landowner of the site confirms that they support the allocation and that the site is available for delivering housing in their representation to the Regulation 19 consultation on the plan (ED3, p.16 [appendix 1]).

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

2. Yes. No site specific objections to the allocation have been received from the highway authority. The site provides opportunities to connect into the existing pedestrian footpath network Kings Walden 008 and fronts onto Heath Road.

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

3. Yes. The site has been considered through the SHLAA and is considered as a suitable location for development having regard to potential constraints (HOU9, site ref KW1. See Appendix 3, p.25 and Appendix 4, p.40).
4. The Infrastructure Delivery Plan (TI1) and Local Plan Viability Assessment Update (TI2) show that this development is 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.80 - 82 (581-583)).
5. No fundamental constraints to development have been identified. Site-specific criteria for this site are identified in the plan (LP1, Section Four – Communities, King’s Walden p174). 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.

11.12 Is the proposed housing allocation justified and appropriate in terms of the likely impacts of the development?

6. Yes. The proposed housing allocation in Breachwood Green is justified and appropriate. The appropriateness of the allocation is discussed below.
7. 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 Need (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.
 - 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.

Site KW1

8. Breachwood Green is a Category A village within the district settlement hierarchy where policy SP2 (as amended) allows general development within the defined settlement boundary.
9. Site KW1 lies in the north-west part of Breachwood Green in an area currently designated as Green Belt. KW1 currently adjoins development on two sides, with residential development to the north and south, and agricultural land to the east and west. The site comprises an area of Grade 3 Agricultural Land.
10. The Housing and Green Belt Background Paper summarises the reasons for the selection of site KW1 (HOU1, Appendix 2, p.58). The allocation of site KW1 makes a contribution to the overall housing numbers achievable within the plan and the five-year land supply.

11.13 Is the proposed allocation the most appropriate option given the reasonable alternatives?

11. The proposed allocation of site KW1 represents the best option for the expansion of Breachwood Green. HOU1 (Appendix 2, pp.61) shows that of the two potential sites identified within Breachwood Green KW1 is the better site as it is well contained and the cumulative loss of allotments from both sites is not acceptable.

11.14 Site KW1 comprises of land in the Green Belt.

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

12. Yes. Exceptional circumstances exist to warrant the allocation of land for housing in the Green Belt at KW1.

13. Under the saved policies of the current District Plan, Breachwood Green is a 'washed over' village within the Green Belt. The case for inseting Breachwood Green is set out in the Green Belt Review (CG1, pp72-73, & pp.88-90)

14. 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.

15. Site KW1 provides an opportunity to make a contribution to overall housing numbers and meet local needs arising within this part of the district in a Category A village identified by Policy SP2 of the Plan. There are not considered to be any insurmountable non-Green Belt constraints to development of the site which can not be addressed through the policy requirements of the plan.

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

16. The site is part of a wider parcel of Green Belt land assessed as making a significant contribution to one of the purposes of Green Belt with a moderate overall contribution (CG1 Green Belt Review p37). The site itself is also separately assessed as making a moderate contribution to Green Belt purposes. (CG1, p114)

Table A: Contribution of allocation KW1 in Breachwood Green to the purposes of Green Belt

Site	Green Belt purpose				Overall contribution
	Sprawl	Merge	Countryside	Historic	
Site KW1	Significant	Moderate	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?

17. Criteria have been identified which must be satisfied before the grant of planning permission on the allocated site:

- Reinforce western site boundary to screen views, enhance Green Belt boundary and maintain rural setting of Listed Buildings on Brownings Lane;

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?

18. Through the action specified in the allocation criteria set out above the adjacent Green Belt would continue to contribute to the purposes of Green Belt.

19. The adjacent Green Belt would continue to play an important role in, in particular, containing the sprawl of Luton and safeguarding the countryside.

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?

20. The review and release of land undertaken as part of this plan creates a settlement boundary which has been drawn to encompass the existing developed extent and provides the opportunity for future development within the built core.

21. 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.

22. 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?

23. 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.
24. 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?

25. Yes. Every effort has been made to clearly define the Green Belt boundaries around the settlement using physical features such as roads and watercourses that are readily recognisable and likely to be permanent.
26. 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.
27. 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.

11.15 Is the proposed settlement boundary:

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

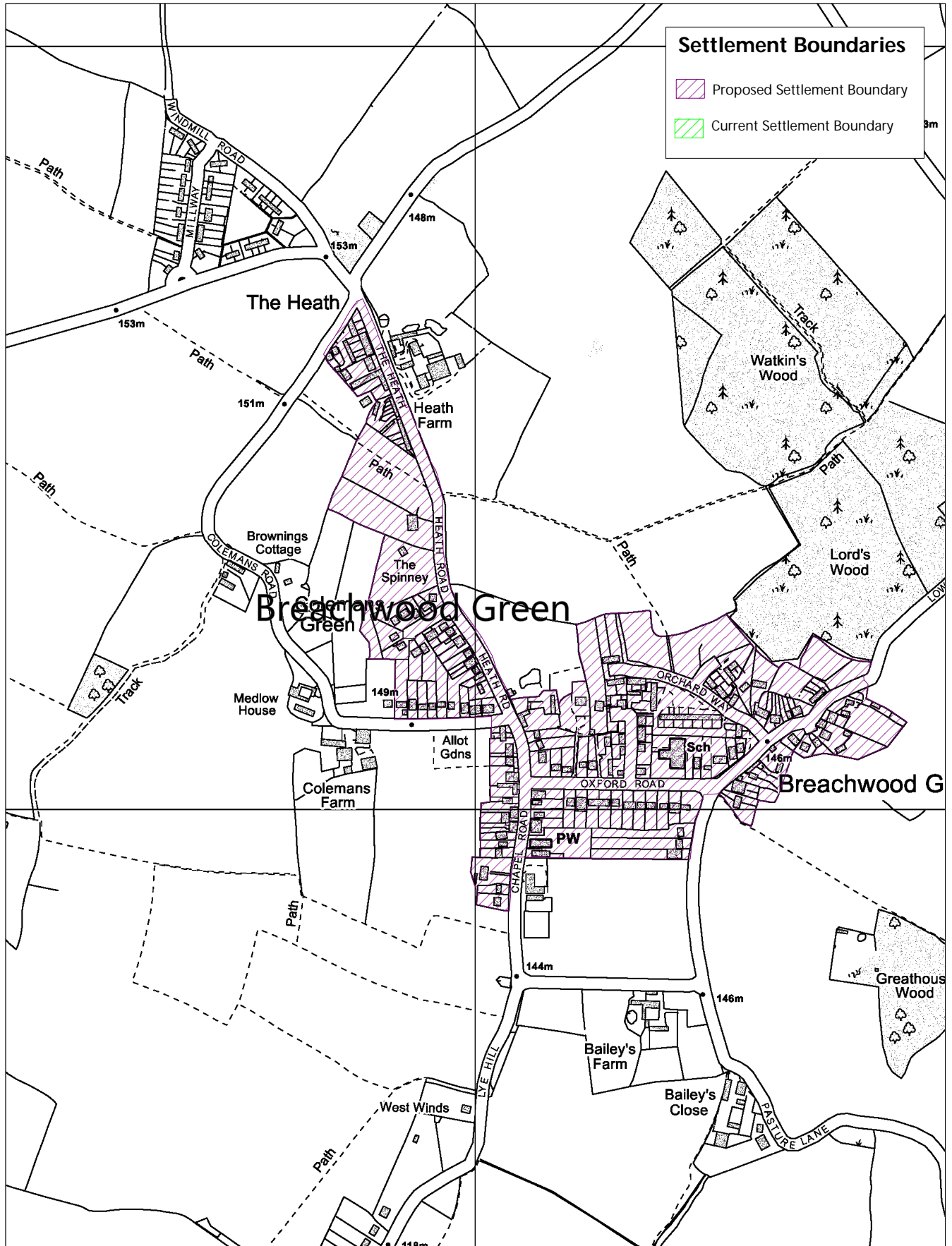
b) appropriate and justified?

28. The Council's proposed amendment to the supporting text of Policy SP2 (LP3, amendment to paragraph 4.13, p.2) makes clear that settlements are those areas excluded from the prevailing policy designation of the surrounding rural area; the boundaries of Breachwood Green are 'inner' boundaries to the Green Belt rather than 'outer' boundaries to the settlement itself.
29. The settlement boundary has been drawn to encompass the existing developed extent and provides the opportunity for future development within the built core and is justified by consistency with policy SP2 Settlement Hierarchy.
30. A map showing the existing and proposed settlement boundaries for Breachwood Green is attached to this Statement as Appendix 1 to aid interpretation.

Appendix 1: Current and proposed settlement extent of Breachwood Green

Plan overleaf.

Breachwood Green



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