

# **EAST HERTFORDSHIRE DISTRICT PLAN (2011 – 2033)**

## **Public Examination Hearing Statement**

**by Ashley Godfrey**

**On behalf of Save Ware's Green Belt**

### **Chapter 9 – Ware – policies WARE1 – WARE3 (inclusive)**

#### **Question 1: What is the basis for planning to accommodate 1,000 new homes at Ware within the plan period?**

The proposed housing development in the areas to the North and East of Ware is entirely within the Metropolitan Green Belt, which was designated in order to contain the outward sprawl of London. The National Planning Policy Framework (NPPF) emphasises that:

'The Government attaches great importance to Green Belts. 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.' (Para 79)

and that

'...Green Belt boundaries should only be altered in exceptional circumstances' (para 83)

The Council has sought to justify the removal of the area of land to the north and east of Ware from the Green Belt. Section 4 of the Topic Paper on Green Belt (TPA003) sets out the exceptional circumstances that attempt to justify the release of Green Belt land:

'In East Herts there is a combination of factors that exist locally that together constitute the exceptional circumstances that require the Council to amend its Green Belt boundaries. This includes the high level of housing need, including affordable homes, exacerbated by a significant backlog of unmet need, and the lack of suitable alternative locations to the north of the District.'

The 2015 Green Belt Review assessed 12 parcels of land within and around Ware. None of the areas assessed were considered to be of high suitability for development. Three parcels to the north of the town were considered to have low suitability for consideration as areas of search for development.

The Council's proposal for 1,000 new homes has resulted from their appraisal of options (considered in greater detail in Questions 3 & 4), which initially identified development options of between 200 to 3,000 dwellings. However, the fact that development in this location would require major wastewater infrastructure and a new link road to the A1170/A10 meant that this could only be financially viable with higher levels of development.

The Council's justification for taking land out of the Green Belt is based on exceptional circumstances. However, this should be rejected because all other options have not been exhausted by the Council (as explained in response to Questions 3 & 4).

It would therefore appear that the basis for the scale of development being proposed is being driven primarily by a need for major wastewater and road infrastructure.

The need for the release of specific areas of Green Belt land for development has not been adequately demonstrated by the Council, and is not therefore justified or founded on a credible evidence base. Save Ware's Greenbelt does not consider that the housing need amounts to exceptional circumstances which justify the proposed changes to Green Belt boundaries and, as set out later, there are suitable alternative locations to the north of the District.

**Question 3: How and why was the planned level chosen ahead of other options? Is the site selection methodology robust and transparent?**

**Question 4: How and why was WARE2 chosen ahead of other potential options, particularly having regard to the alteration of Green Belt boundaries and demands on infrastructure?**

The Supporting Document sets out in Section 1.7 the 'Stepped Approach' which takes six principal steps in the strategy selection process which is described as being:

'a systematic approach involving the gradual testing and refinement of evidence to reach greater levels of confidence about proposed development locations'

Five rounds of assessment (sieves) were undertaken to determine which options were considered suitable for inclusion in the development strategy. The Areas of Search are shown in Figure 4.7 on page 357. Of these, the area to the north of Ware is split into Area 19 A and B and the area to the east of Ware is also split into Area 20 A and B.

The assessment of Ware North Sub-Area B indicates that around 1,500 dwellings could be provided in this location. The report then states in Para 4.8.3.10 that:

'A potential showstopper for this area would be the need to provide major wastewater infrastructure. This would either involve considerable disruption to Wadesmill Road through to the High Street to enable construction, or expensive new sewer facilities to be provided to the east of the town. Depending on the level of development, the latter may be able to be provided as part of the development infrastructure; however, it could transpire ....., that this may only be financially achievable if combined with development to the east of the town (Area 20: Ware East).'

The provision of new wastewater infrastructure and a new link road to the A1170/A10 would only be financially viable with higher levels of development.

The assessment of Ware North Sub-Area B concludes in Para 4.8.3.14 that development would result in the loss of Grade 2 agricultural land and other natural assets. This area is heavily used for informal recreation by walkers, joggers, dog walkers and horse riders. It is also the venue for Ware's annual bonfire which attracts large numbers of residents from Ware and its surrounds. Development of this area would necessitate additional highways infrastructure in addition to the identified wastewater issues. On their own, these significant constraints mean that Ware North Sub-Area B would be unlikely to have the potential to deliver development, unless linked to Ware East. However Ware East Sub-Area A also has constraining issues including the potential loss of a significant amount of Grade 2 farmland and some Grade 3 farmland, an Area of Archaeological Significance and wildlife site concerns, which would predicate against development in this location. An interim figure of 1,300 dwellings is provided for Ware East.

The Council's assessment further concludes that development to the north and east of Ware would be out of scale with the existing Minor Town Centre role of Ware. (Para 5.3.96)

In the conclusions to the Supporting Document the potential for development that would cover both Ware North Sub-Area B and Ware East Sub-Area A is 3,000 dwellings. This figure equates to over one third (36.7%) of Ware's existing housing stock.

The quantum of development has subsequently been reduced. The Ware Settlement Appraisal (2016) reports that Officers considered that one site should be allocated in Ware as follows:

'Land to the North and East of Ware – 1,000 dwellings within the plan period, with potential to expand to 1,500 beyond 2033.' (Para 24.7)

Figure 4 in the Settlement Appraisal shows an illustrative conceptual diagram provided by the site promoters, which provides an indication of how the various proposed uses could potentially be configured across the site. This is likely to be used as a basis for commencing the Masterplanning process. The diagram shows 5 areas of 'safeguarded residential land'. This suggests that the longer term objective is to increase the number of dwellings in Ware North and East to the original 3,000 dwellings.

With regard to other potential options, the option of a new settlement was considered in the Core Strategy Issues and Options:

'Options must be pragmatic in relation to infrastructure and delivery. Based on this criterion, the proposal for a new settlement in the countryside was discounted as undeliverable within the plan period (Para 3.7.8).'

Nevertheless the subsequent Supporting Document did consider the option of new settlements. All options apart from the A602 Corridor and Hunsdon were dismissed, primarily on the grounds that they lack wastewater infrastructure, lack rail infrastructure and there would be potential environmental implications of increasing vehicle movements along the A10.

The Preferred Options report published in 2014 concluded that:

'In order to meet the District's long-term housing requirement ..... a broad location for development of between 200 and 3,000 homes is identified to the North and East of Ware (Para 9.2.7).'

The dismissal of the option to develop a new settlement on land beyond the Green Belt in the north of the District was taken notwithstanding the endorsement of this approach in Paragraph 52 of the NPPF which advises that 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.

Ebenezer Howard's book "Tomorrow: a Peaceful Path to Real Reform", published in 1898, put forward a vision of the Garden City with a focus on the development of holistically planned new settlements which enhance the natural environment and provide high-quality affordable housing and locally accessible jobs. Howard's vision was realised in the development of Letchworth and Welwyn Garden City. In September 2011 the then housing minister Grant Shapps, who is also the member of parliament for Welwyn Garden City stated that, "the scale of housing need that

we now face means that we need imaginative proposals to come forward which get us back to Howard's original ideas".

Notwithstanding the District Council's involvement in the Government's 'Garden Villages and Towns' initiative at Hunsdon, the option of building a new settlement was never properly assessed and filed in the 'too difficult' tray. Instead the development on land in the North and East of Ware for 1,000 homes with a further 500 (subject to suitable mitigation measures) as set out in Policy WARE2, is proposed, despite the lack of waste water and other infrastructure. It is claimed that this will:

'incorporate Garden City principles and be planned comprehensively to create a new sustainable community which connects well with and complements the existing town and its existing historic centre.'

It seems unlikely that this 'L' shaped expansion of the town can incorporate Garden City principles. In reality this expansion of Ware will be hugely detrimental to its character and ability to function. Ware is a historic market town with many listed buildings in the historic core dating from the 16th and 17th centuries located in narrow streets.

Ware is at full capacity now. People living in the proposed housing would naturally wish to visit the town centre but the narrow streets that lead to Ware High Street are incapable of handling any more traffic. Traffic congestion is a common feature.

Whilst the methodology of the site selection process using the sieve approach was appropriate, its application was not. The outcome of the five assessments is biased. Lack of wastewater infrastructure resulted in the elimination of new settlement options in the north of the District which lies beyond the Green Belt but was apparently no hindrance in the consideration of the development in the Green Belt to the north and east of Ware.

Moreover, there is an acceptance in the Memorandum of Understanding with North Herts District Council (ED135) that a 'new garden settlement' in the north of the District could be a solution to meeting future housing needs but that it was not a 'reasonable alternative' for this round of plan-making. This option should have been the subject of far greater consideration.

The NPPF is clear that the Council does not have to meet its assessed housing needs in full. It states that Local Plans should meet the objectively assessed development needs of their area:

'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted'.

The footnote to this paragraph cites those policies including land designated as Green Belt.

Earlier this year, the Housing minister Gavin Barwell, speaking ahead of the launch of the housing white paper, made it clear that:

'There is no need to take huge tracts of land out of the greenbelt to solve our housing crisis.'

Save Ware's Greenbelt therefore does not accept that the Council has considered all reasonable alternative approaches to meeting the District's development needs. In particular,

the proposal to develop a 'new garden settlement' in partnership with North Herts Council in the area beyond the Green Belt should have been pursued.

Save Ware's Greenbelt calls on the Council to match the vision shown by Ebenezer Howard and requests that the Inspector recommends to the Council that the whole of Policy WARE1 Development in Ware and Policy WARE2 Land North and East of Ware be deleted if the Plan is to be made sound.

**Question 5: Are the allocated sites appropriate and deliverable, having regard to the provision of the necessary infrastructure and facilities, and taking account of environmental constraints?**

The Rye Meads Water Strategy 2009 was a detailed study considering the likely impacts of future development on the water environment and water infrastructure for the catchment area of the Rye Meads Wastewater Treatment Works which includes Ware. A partial review of the strategy was undertaken in 2015 which concluded that Rye Meads should have the capacity to treat all wastewater arising from its catchment over the period to 2026, with a reasonable prospect of accommodating demand to 2031. However, this premise assumed lower future demand resulting from reduced development projections at that time and a long-term decrease in consumption from existing homes. There is therefore no guarantee that the capacity will be sufficient up to 2026.

Statements in various District Plan documents confirm that Ware High Street suffers from considerable traffic congestion which is not confined to peak times. The District Plan indicates that a link road between the A10/A1170 junction and the Widbury Hill area, along with other hard and soft measures, is to be provided, to both mitigate the increase in traffic and help alleviate town centre congestion. However, this spine road will not be completed until the 750<sup>th</sup> house is occupied (estimated 2026). In the absence of any alternative route, people living in the development will need to use narrow streets leading into the town centre which are already heavily congested. Most of streets leading to Ware High Street have parked cars on one side and there is only space for a single line of traffic at a time – New Road/Musley Hill, Star Street (B1004), Collett Road and High Oak Road are just some examples. This is evident on Musley Hill when, for example, buses traveling up Musley Hill encounter problems as cars come down. There is insufficient room to travel both ways and double decker buses are obliged to mount the pavement or cars are forced to reverse back up the hill. The current road system will not cope with such an increase in traffic through these narrow congested streets. There will also be an increased risk that emergency services will not have a route through these streets to attend any incident. Delays will be severe and inevitable.

In the town centre there is only one bridge which crosses the river Lea. Access to the railway station, several schools, Ware College and the Community Drill Hall is only possible via this bridge. This bridge and roundabout at the end of Star Street linking the bridge to the High Street will become severely congested if the proposed development proceeds.

There are no proposals to provide additional parking spaces in the town centre or at the station. Short term parking in Ware is often at capacity and long term parking is always at capacity. An enhancement scheme for the High Street is proposed by Ptarmigan<sup>1</sup> to:

‘enable it to be perceived as a community street rather than engineered as a road for through traffic.’

This approach fails to address the likely impact of a development of this size on Ware and does not acknowledge the congestion that already occurs in the High Street or the severe traffic congestion that is likely to occur if the development were to go ahead.

Proposals for sustainable transport lack detail. Those for pedestrian and cycling links fail to recognise the topography of the area in that there are steep hills on the roads to the north and east of Ware from the centre. Pedestrians currently struggle to navigate the pavements in and around Ware, due to narrow footpaths and also the parking of cars across pavements on many streets. This will only get worse if these plans are adopted. Ware is also not mentioned under the scheme for sustainable travel towns in the LP4 document and Ware has not been included in the new 2050 transport vision plan for this region.

A bus service from the new estate is due to be implemented. In any event, buses will need to navigate the severely congested, often impassable roads. There have been recent examples of the police being called to buses in Ware when the road became gridlocked.

The current train service is at capacity with passengers already having to stand on journeys both into and out of London in peak hours. The over-crowded single short platform in Ware will become a safety issue, particularly for the school children who use this mode of transport. With the increase of houses in Hertford trains will become even more overcrowded.

Ware plays a key role as a market town and rural service centre serving both the town and rural hinterland. There are approximately 250 new homes planned in surrounding villages. In addition 1,100 new homes are planned for Buntingford and Ware will be the nearest station. Ware’s role as a service town has not been factored into any of the infrastructure requirements. The already insufficiently planned infrastructure would be stretched even further.

### **Overall Conclusion**

Save Ware’s Greenbelt considers that the whole of Policy WARE1 Development in Ware and Policy WARE2 Land North and East of Ware in the East Herts Submission District Plan is not sound on the grounds that it is:

- not justified because full consideration has not been given to all reasonable alternatives, and
- not consistent with national policy in respect of the Council’s proposal to remove land from the Green Belt for the provision of housing development.

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<sup>1</sup> Pre-Submission District Plan Consultation December 2016