

# **Turley**

## **East Herts District Plan Examination 2017**

### **Matter Statement 5**

**Ptarmigan Land  
1051701**

**Green Belt Release – DPS3**

September 2017

**CONTENTS**

- 1.0 Introduction
- 2.0 Green Belt Release - DPS3

## **1.0 INTRODUCTION**

- 1.1 This Matter Statement has been prepared by Turley on behalf of Ptarmigan Land (Ptarmigan) and submitted pursuant to the proposed residential allocation of Land North and East of Ware (Policies WARE1 and WARE2).
- 1.2 The following Matter Statement sets out Ptarmigan's position as lead promoter in relation to the WARE2 allocation and comments upon Matter 5, Green Belt Release - DPS3.
- 1.3 Ptarmigan's position is of firm support for the emerging Plan notwithstanding some concerns in relation to the OAN and the quantum of housing delivery proposed for Ware during the Plan period, which are set out in our Matter Statement 2.
- 1.4 As the promoter of a key strategic allocation, Ptarmigan requests that its professional advisors are permitted to participate in the relevant Examination Hearings, to further articulate the matters considered within this Statement.

**2.0 HAS THE PLAN BEEN POSITIVELY PREPARED AND IS IT JUSTIFIED EFFECTIVE AND CONSISTENT WITH NATIONAL POLICY TO RELEASE LAND FROM THE GREEN BELT?**

**Q1.** Where is the land that the Plan would release from the Green Belt?

2.1 The submitted Plan proposes to release approximately 6% of the existing Green Belt in 12 principal locations throughout the district, as set out within the Plan and as summarised at Paragraph 3.5 of the Council's Green Belt Topic Paper. These locations are primarily for the purpose of creating sustainable urban extensions to the main settlements in the district including Hertford, Ware, Bishop's Stortford and Sawbridgeworth.

2.2 Cross boundary urban extensions of the adjacent towns of Welwyn Garden City and Stevenage on the western boundary of East Hertfordshire are also proposed. The exception is the Gilston Area allocation, which by reason of its intended longer term strategic scale, is the first phase of a major new linked settlement to serve the Greater Harlow Area.

**Q3.** Where can it be demonstrated that the Council has examined fully all other reasonable options?

2.3 The response to Question 10, of the Inspector's Note (ED102) issued by East Herts Council on 9<sup>th</sup> June 2017 (ED105) sets out the approaches considered by the Sustainability Appraisal (SUB/004) in relation to the spatial strategy and the balance of Green Belt required for new development in the Plan period.

2.4 In their response, the Council confirm that the location of a greater proportion of development beyond the Green Belt has been considered throughout the plan-making process, as set out in Supporting document (SSS/001) and through each stage of Sustainability Appraisal.

2.5 The 2014 Sustainability Appraisal (SUB/005) considered a spatial strategy which included a new settlement of 5,000 dwellings located within a transport corridor (assumed to be beyond the Green Belt). This was also considered in the 2016 Sustainability Appraisal (SUB/004) which included two new settlement options of 3,000 dwellings, with similar assumptions.

2.6 The Council make clear in their Q10 response that the Sustainability Appraisal considered whether a greater proportion of new homes could be delivered within the rural area of East Herts within the villages. The Sustainability Appraisal also considered whether Buntingford (which already is planned to accommodate over 1,000 new dwellings) could accommodate a greater proportion of development. However the Council points to the fact that whilst the majority of this new development was won on appeal, the Inspector's decision on two appeal sites noted Buntingford's inherent lack of sustainability, given the general lack of public transport and local employment opportunities.

**Q4.** Are there exceptional circumstances to justify the Plan's alterations to the existing adopted GB boundaries?

2.7 On the evidence of the Sustainability Appraisals undertaken above, it is clear that whilst not all of the land area available for development in East Hertfordshire lies within the Green Belt, there are exceptional circumstances for the Council's submitted spatial strategy, which primarily looks to release land at the major settlements and in the most sustainable locations.

2.8 The Council's exceptional circumstances case is set out at Section 4.0 of the Green Belt Topic Paper (GBTP). Paragraph 4.5 of the GBTP makes reference to the Calverton Parish Council v Greater Nottingham Councils case (2015) and the matters usefully set out by the Hon. Mr Justice Jay in order to establish whether 'exceptional circumstances' exist to justify releasing land from the Green Belt.

2.9 In summary, the key principles set out by Justice Jay were the acuteness of the OAN, the constraints on the supply of sustainable land to service this OAN and (on the facts of the case) the difficulty in achieving sustainable development without impinging upon the Green Belt. Other factors for consideration include the nature and extent of harm to the Green Belt and the extent to which the impacts upon the purposes of the Green Belt may be ameliorated.

2.10 The council's evidence in relation to the above Calverton principles is set out at paragraphs 4.7 to 4.27 of the GBTP and is not repeated within this Statement. However we concur fully with the Council's conclusions that the severity of need, combined with the lack of sustainable alternatives, represents an 'exceptional circumstances' case which justifies the extent of green Belt release proposed.

2.11 Whilst East Hertfordshire has land within the northern hinterland which does not lie within the Green Belt, the existing low level of infrastructure and sporadic pattern of settlement in this northern area is not conducive to the achievement of timely and sustainable development within the Plan period, sufficient to meet the needs of the Plan.

2.12 In contrast, the main settlements selected for growth all lie within the Green Belt, including Ware. However they are all inherently more sustainable by reason of having excellent public transport links and a high level of employment and other facilities by virtue of their established nature and critical mass.

**Q6/7.** Is the site selection/Green Belt review processes robust? Are the boundaries appropriately defined having regard to GB purposes and the need to use readily recognisable physical features that are likely to be permanent?

2.13 Our answer to this question relates to Ptarmigan's emerging WARE2 allocation. In this respect, the proposed amended Green Belt boundary for the North and East of Ware was carefully considered at the promotion stage by a combination of detailed site inspection and desktop appraisal, prior to proposing the site to the Council as a suitable residential allocation.

2.14 The key considerations which influenced the proposed new Green Belt boundary and the Council's endorsement of this boundary within its submitted Plan, was to respond sensitively to the existing landscape character. In addition, the boundary selected was designed to maintain the principal purposes of Green Belt as far as could be reasonably achieved in accommodating this scale of development.

2.15 As such, there are no demonstrable coalescence issues and further development in this location, which complements earlier 20<sup>th</sup> Century northern expansion, will not adversely affect the special character of the historic town centre.

2.16 With regards to urban regeneration, substantial recycling of former brownfield land has already taken place in Ware with few viable opportunities left remaining. As such, a sustainable greenfield urban extension will not compromise the future urban regeneration of Ware, whilst providing its own new economic stimulus.

- 2.17 The boundaries of the WARE2 allocation are designed to respond sensitively to the topography and wider rural setting and follow the route of existing trees, hedgerows and other landscape features, which are all visually well defined.
- 2.18 These site features provide the opportunity for the reinforcement of existing landscape assets and the ability to provide additional structural planting to secure new long term defensible Green Belt boundaries which also significantly mitigate the impacts of the development upon the wider landscape.

End