

Paper B: Green Belt

1. The Inspector has requested that North Hertfordshire District Council (NHDC) provide further information to the Examination regarding the assessment of Green Belt. In his letter of 9 July 2019 (the Inspector's July letter), the Inspector raises a number of specific questions and queries on this matter. In particular, he has asked for clarity upon:
 - How the exercise of reviewing the Green Belt has affected the site selection process generally and how or whether the contribution made to the Green Belt by individual parcels of land has influenced their selection or rejection;
 - The apparent absence of sufficient justification for continuing to allocate sites which the Green Belt Review Update (GBRU) (ED 161) concludes make a significant, rather than a moderate, contribution to Green Belt purposes; and
 - The apparent absence of consideration of Green Belt matters in the Sustainability Appraisal
2. These issues are dealt with in turn below. All references to 'the Plan' or 'the Local Plan' in this response are to the submitted Plan (LP1) as suggested to be altered by the Proposed Main Modifications issued in November 2018 unless otherwise stated. All references to the National Planning Policy Framework (NPPF) are to the 2012 version unless otherwise stated.

Inspector's Query 1 – The role of the Green Belt Review in the site selection process

"...I am not clear from this, or from the previous hearing sessions, precisely how the exercise of reviewing the Green Belt has affected the site selection process. In particular, I am struggling to understand how, or indeed whether, the contribution – whether it be moderate, significant, or whatever – made to the Green Belt by any individual parcel of land has influenced its selection or rejection. Put simply, I cannot see how the conclusions of the Green Belt review exercise have informed the selection of sites."

(Paragraph 14 of the Inspector's July letter)

General principles

3. HOU1 and the Council's Statements to Matters 5, 7 and 9 explain that the housing strategy in the submitted plan is built on the principle that – having regard to the evidence – the Council should seek to reasonably maximise the provision of new homes within the District. This is wholly consistent with national policy:

Every effort should be made to objectively identify and then meet the housing, business and other development needs of an area

(NPPF, paragraph 17)

4. The evidence before the examination is clear that NHDC cannot meet its objectively identified development needs without development in the Green Belt. The general

principles that NHDC consider support the existence of exceptional circumstances in relation to its own development needs have been set out at length in written and verbal evidence to the Examination and include (but are not necessarily limited to):

- A scale of the objectively assessed housing need that can be reasonably characterised as both acute and pressing (HOU1, p.14, paragraph 4.21 and NHDC Matter 7 Statement, paragraph 3);
 - There being no reasonable prospect of NHDC addressing its objectively assessed needs within the District without resort to Green Belt land and / or strategic-scale sites; (HOU1, p.14, paragraph 4.23; NHDC Matter 5 statement, paragraph 31; NHDC Matter 7 Statement paragraphs 4 and 29-35)
 - There being no reasonable prospect of other authorities in shared housing market areas 'making good' any shortfalls in housing provision arising from North Hertfordshire under the Duty to Co-operate – on either non-Green Belt or Green Belt sites (HOU1, p.15, Table 4; MOU8, p.4, paragraph 5.10; NHDC Matter 4 statement, paragraph 45; NHDC Matter 5 statement, paragraph 31);
 - That any decision to constrain development 'on principle' would therefore result in an absolute shortfall in the provision of housing to the detriment of the social and economic objectives of sustainable development (HOU1, p.16, paragraphs 4.37 & 4.38; NHDC Matter 7 Statement, paragraph 6) and would perpetuate the housing crisis in this housing market area;
 - The Strategic Sites are all located adjoining the largest settlements within and adjoining the District¹. Provision at this scale accords with Paragraph 52 of the NPPF and allows for these largest settlements to grow proportionately (NHDC Matter 4 statement, paragraph 39; NHDC Matter 5 statement, paragraph 28).
5. The Council's position in relation to 'exceptional circumstances' to meet unmet housing needs from Luton share a number of similarities with the above but also considers the Council's obligations under the statutory Duty to Co-operate. The case of exceptional circumstances for the East of Luton sites is set out in detail in Paper C.
6. The Council's evidence to the examination explains that it is in this context that decisions on individual sites within the Green Belt have been taken and that they are a series of balanced planning judgements made on their own merits as to whether exceptional circumstances exist for their removal from the green belt:

HOU1 first establishes that exceptional circumstances exist as a matter of general principle (paragraph 4.97, p.24). It then recognises that the best approach to be taken must be considered on a site-by-site basis (paragraph 4.101, p.25). This must be informed by a balanced judgement of the harms and benefits of each site in the broader context of the housing situation (paragraph 5.9, p.27)

(NHDC Matter 7 statement, p.4, paragraph 22)

¹ Excluding Royston which lies beyond the outer limits of the Metropolitan Green Belt

7. NHDC also recognised in that document that the majority of sites were judged to make a moderate contribution to Green Belt purposes but that some sites were judged to make a significant contribution. Further to this it was acknowledged that any decision to release any of these sites required a clear justification particularly those that were considered to make a significant contribution which at that time comprised three sites (BA1; HT1; KB4) (HOU1, p.18, paragraphs 4.51 and 4.52; Matter 7 Statement, p.2, paragraph 10). NHDC considers that it provided a clear justification for all sites in the Green Belt whether they were considered to make a significant or moderate contribution to Green Belt purposes at the time of submission and through additional evidence provided for and during the hearings.

Approach to site selection – Part 1: Consideration of Green Belt through the SHLAA

8. The general approach to site assessment and selection was set out in the flow chart attached as Appendix A to the Council's Matter 9 hearing statement. This is re-appended to this paper. This process was discussed at length in November 2017.
9. It can be seen from the flowchart that site selection followed a two-stage process. The Strategic Housing Land Availability Assessment (SHLAA) performed an initial sift of sites. Only those sites identified by the 2016 SHLAA as meeting the key tests of being suitable, available and achievable were carried forwards. This more limited selection of sites was considered through the site selection process shown in the second half of the flowchart. This approach is reflected in the GBRU:

For the purposes of this Update, those potential Green Belt housing sites which passed the three key tests of 'suitability', 'availability' and 'achievability' in the Council's Strategic Housing Land Availability Assessment (SHLAA) (HOU9) and were not ruled out from further consideration as a result of the subsequent updates in Chapter 3 of HOU1 have been assessed

(ED161A, p.7, paragraph 2.10)

10. The SHLAA pitched its methodology at a level which did not seek to prematurely rule sites out from further consideration but equally did exclude those sites considered to have no realistic prospect of eventual allocation:

As with the (re-)consideration of housing numbers, the opportunity has been taken to critically re-appraise all sites and findings from previous SHLAAs. Potential planning constraints have been identified on many of the sites. Where these are considered to be unresolvable, sites have been considered unsuitable for development.

However, the SHLAA must be mindful not to prematurely make broader judgements or overreach its remit in terms of assessing the broad suitability of individual development sites.

National guidance and case law establish the need for balanced planning judgements to be made on matters including, but not necessarily limited to, Green Belt, high quality agricultural land, heritage and flood risk. The SHLAA has been conducted at a level which allows for further consideration of these issues in the context of the wider evidence base following completion of this study.

(HOU9, pp.11-12, paragraphs 4.17 to 4.19)

11. It is therefore important to recognise that the Council's approach to reviewing the Green Belt, and potential sites for allocation within the Green Belt, is not confined solely to those sites shown in the GBRU. The 2016 Strategic Housing Land Availability Assessment (SHLAA) considered many sites within the current Green Belt. More than 30 of these were considered 'unsuitable' at this stage in the process and eliminated from further consideration. These rejected sites included land beyond the outer limits of the proposed BA1 allocation at Baldock and in other locations such as around Stevenage.
12. The rejected sites are listed in Appendix 4 of HOU9 with reasons given. They are also shown in the accompanying maps in HOU9a². The sites rejected by the SHLAA and relevant extracts of the reasons given in HOU9 are summarised in the table below. The reasons do not always use the precise language of Paragraphs 79 and 80 of the NPPF, as subsequently reflected in the GBRU. However many of the reasons clearly relate to Green Belt factors that would have been subject to further analysis had the sites progressed. Relevant Green Belt considerations have been added to the summary table below having regard to the methodology shown in Appendix 1 of the GBRU (ED161A, pp.48-49).
13. The Council suggests that, if there had been an "imperative for allocating land irrespective of the contribution made to it by Green Belt" (as per Paragraph 15 of the Inspector's July Letter), these sites would not necessarily have been eliminated from consideration in this manner. It is essential that the analysis and conclusions reached by the GBRU are read and understood in this context. In particular an assessment of a site as having 'significant' Green Belt impacts should not be conflated with having an 'unacceptable' Green Belt impact. Many (parts of) sites considered to have unacceptable impacts had already been sifted out through the SHLAA process; that is to say they were removed from consideration early in the Matter 9 flow chart rather than in the later iterations.
14. The Luton HMA Growth Options Study similarly "considered adding [a] missing site to east [of the proposed east of Luton sites]". However this was "ruled out in discussion with NHDC due to sensitivities relating to landscape/topography, historic environment and AONB setting" (HOU7, p.4, Table 2.2).

² Sites considered wholly unsuitable are shown grey. Sites considered partly suitable / partly unsuitable are shown yellow.

Table A: Green Belt sites considered ‘unsuitable’ by the SHLAA

SHLAA ref	Town / parish	Summary reasons given in HOU9 (emphasis added)	Relevant Green Belt considerations (NPPF)
12	Baldock	...Chalk Hills provides well established defensible boundary to southern edge of Baldock and site would breach this...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To assist in safeguarding the countryside from encroachment • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
14	Baldock	... part of site to the south of substantial tree belt would be particularly prominent and not considered suitable. Development to the north of this would not result in substantial encroachment ...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To assist in safeguarding the countryside from encroachment • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
371	Baldock	...would result in a significant encroachment beyond the shallow ridgeline and bring development up to that part of Bygrave which adjoins this site...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To assist in safeguarding the countryside from encroachment
372	Baldock	...bringing forward in conjunction with sites to south would result in significant encroachment into countryside and development of land which has very limited visual relationship with the existing town.	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To assist in safeguarding the countryside from encroachment • To preserve the setting and special character of historic towns • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
373	Baldock	... significant encroachment beyond the ridgeline and bring development up to that part of Bygrave which adjoins the site...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To assist in safeguarding the countryside from encroachment
207	Codicote	...Could not allocate without inseting all of this area from Green Belt and this is considered highly unlikely in policy terms.	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent

SHLAA ref	Town / parish	Summary reasons given in HOU9 (emphasis added)	Relevant Green Belt considerations (NPPF)
311	Codicote	...Could not allocate without inseting all of this area from Green Belt and this is considered highly unlikely in policy terms.	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
312	Codicote	...would result in development that faced out, and was functionally detached from, remainder of Codicote...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To assist in safeguarding the countryside from encroachment • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
313	Codicote	...Area of site at north-west physically detached due to topography and not considered suitable...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To assist in safeguarding the countryside from encroachment • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
314	Codicote	...relates, and is exposed, to valley towards Knebworth and would be visually intrusive beyond existing built limits...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To assist in safeguarding the countryside from encroachment
316	Codicote	...Would involve substantial extension of village with no clear defensible boundary. Exposed in wider landscape and physically relates outwards towards wider countryside...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To assist in safeguarding the countryside from encroachment • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
318	Codicote	...would result in substantial ribbon of development beyond substantive built limits of Codicote.	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To assist in safeguarding the countryside from encroachment
219	Hitchin	...would fill in a large part of the gap between Gosmore village and that part of St Ippolyts parish which functionally forms part of the [Hitchin] urban area.	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To prevent neighbouring towns merging into one another • To assist in safeguarding the countryside from encroachment

SHLAA ref	Town / parish	Summary reasons given in HOU9 (emphasis added)	Relevant Green Belt considerations (NPPF)
220	Hitchin	...would eradicate the narrow gap between Gosmore village and that part of St Ippolyts parish which functionally forms part of the Hitchin urban area.	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To prevent neighbouring towns merging into one another • To assist in safeguarding the countryside from encroachment
222	Hitchin	...little opportunity for integration with wider urban area...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To prevent neighbouring towns merging into one another • To assist in safeguarding the countryside from encroachment • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
224	Hitchin	...site relates to wider countryside beyond to south-east rather than back in towards urban area.	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To assist in safeguarding the countryside from encroachment • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
325	Hitchin	Given the relatively narrow gap between Hitchin and Ickleford, the River Oughton provides a clear defensible Green Belt boundary ...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To prevent neighbouring towns merging into one another • To assist in safeguarding the countryside from encroachment • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
209E	Hitchin	...Western end of site slopes down into valley and Charlton. Some development might be accommodated in eastern area of site behind the ridge line...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To assist in safeguarding the countryside from encroachment • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
209W	Hitchin	Any developable area of the site would be separated from the main urban area ...would be prominent in landscape ...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To assist in safeguarding the countryside from encroachment • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent

SHLAA ref	Town / parish	Summary reasons given in HOU9 (emphasis added)	Relevant Green Belt considerations (NPPF)
328	Ickleford	[deemed unsuitable for heritage reasons]	n/a
333	King's Walden	[deemed unsuitable for access reasons]	n/a
370	King's Walden	...would breach clear boundary provided by the roads and introduce urban form on uphill approach to Breachwood Green...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To assist in safeguarding the countryside from encroachment • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
54	Knebworth	The Hertford branch railway line provides a clear defensible Green Belt boundary to the southern edge of Stevenage which has not been breached...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To prevent neighbouring towns merging into one another • To assist in safeguarding the countryside from encroachment • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
211	Knebworth	...would erode the gap between Knebworth and Stevenage, breaching the ridge line and has no physical boundary to north...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To prevent neighbouring towns merging into one another • To assist in safeguarding the countryside from encroachment • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
334	Knebworth	...This land currently provides a buffer between the buildings within the Conservation Area and (predominantly) 20th century development...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To assist in safeguarding the countryside from encroachment
341	Luton (adjoining)	... would be detached from Luton urban area.	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To assist in safeguarding the countryside from encroachment • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
347	St Ippolyts	...would not relate well to any of Gosmore village, St Ippolyts or the Hitchin urban area...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To prevent neighbouring towns merging into one another • To assist in safeguarding the countryside from encroachment

SHLAA ref	Town / parish	Summary reasons given in HOU9 (emphasis added)	Relevant Green Belt considerations (NPPF)
221S	St Ippolyts	...would relate poorly to the existing village resulting in a 'finger' of development extending to the south-west which would be exposed in the wider landscape.	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To assist in safeguarding the countryside from encroachment
227	Stevenage (adjoining)	...southern element...faces out towards adjoining Scheduled Monument, parkland and listed buildings...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To assist in safeguarding the countryside from encroachment • Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent
319	Stevenage (adjoining)	...Planting prohibits relationship with other sites in this area being promoted for development and... development here would be detached...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To assist in safeguarding the countryside from encroachment
320	Stevenage (adjoining)	...Planting prohibits relationship with other sites in this area being promoted for development and... development here would be detached.	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To assist in safeguarding the countryside from encroachment
321	Stevenage (adjoining)	...development here would be detached. It would also obstruct longer views from Back Lane through the parkland.	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To assist in safeguarding the countryside from encroachment
322	Stevenage (adjoining)	...Planting prohibits relationship with other sites in this area being promoted for development and... development here would be detached.	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To assist in safeguarding the countryside from encroachment
374	Stevenage (adjoining)	...would result in development 'facing out' from, and not integrated with, Stevenage...	<ul style="list-style-type: none"> • The essential characteristics of Green Belts are their openness • To check the unrestricted sprawl of large built-up areas • To assist in safeguarding the countryside from encroachment

Approach to site selection – Part 2: Site selection

15. For those sites progressing through the SHLAA for further consideration, the Matter 9 methodology acknowledges the presence of ‘footnote 9’ constraints as a potential reason to stop the search for sites. Site selection from this more limited suite of site options was guided by a series of qualitative questions and decisions, a fact acknowledged in the supporting evidence:

Housing and Green Belt are two of the most high profile, and contentious, issues associated with producing a local plan. The associated decision-making can be an iterative process in order that various combinations and permutations can be considered.

(HOU1, p.3, paragraph 1.6)

16. The Council has not taken a mechanistic or rigidly sequential approach (see HOU1, p.29, paragraph 5.33). For example, not all sites in the rural area beyond the Green Belt have been utilised in preference to the allocation of Green Belt sites. This is because some of these sites were judged as less sustainable locations for development and / or would result, in the Council’s view, in disproportionate levels of housing in a single village. This can be clearly seen from the commentary of Appendix 2 of HOU1. Similarly, Green Belt sites have not been allocated working upwards from those of least harms through moderate to significant.

17. To have done so would have been antithetical to good and proper planning. The context of the District has been explained at length. The main settlements – with the exception of Royston – are tightly constrained by existing Green Belt boundaries which have not been subject to review for over 25 years³. As a consequence many suitable, previously developed sites within existing settlement limits have already been redeveloped. There are only limited expansion options remaining around Royston itself and the pattern of development in the remainder of the rural area is dispersed. No credible opportunities for transformational change, strategic sites or new settlements have been identified in this area (NHDC Matter 7 statement, p.6, paragraphs 30 and 33). There is no realistic prospect of ‘exporting’ the District’s housing need to another authority. In this context the stark choices facing this Plan are to sanction some release of Green Belt land to meet development needs (in part or in full) or to fall way short (HOU1, p.14, paragraph 4.23).

18. Absent any significant tracts of previously developed, damaged and derelict or enclosed Green Belt land within the District, the scale of assessed harm arising from the potential development sites is most closely correlated to their size. Those sites assessed as being of lower significance to Green Belt purposes are generally smaller. Medium-sized sites are more likely to result in moderate harms. The more strategic in scale that sites are, by their nature the more likely they are to occasion significant harm to the Green Belt (see also answer below).

³ Although (versions of) the Hertfordshire Structure Plan and East of England Plan have proposed or required Green Belt Reviews to take place within North Hertfordshire in this time, these proposals have never been carried forward in a review of the Local Plan.

19. However, this needs to be balanced against the fact that larger sites can provide greater opportunities to plan at scale for new development and supporting social infrastructure - in accordance with the principles in Paragraph 52 of the NPPF. They also make substantive contributions towards identified growth needs and / or housing land supply and / or obviate the need to identify a greater number of smaller sites on a more piecemeal basis.

20. By way of example, the proposed North of Baldock site has always been acknowledged as occasioning significant harm to Green Belt purposes. But it also:

- Would make a strategic scale contribution to identified development needs adjoining one of the District's main towns and is therefore located in a sustainable location;
- Provides a unique opportunity within the District that "enables substantial new development within relatively close proximity to both the train station and Baldock town centre" providing greater opportunities to integrate with sustainable travel infrastructure (LP1, paragraph 4.177);
- Allows for development to be masterplanned to ensure good placemaking principles are applied;
- Includes infrastructure provision, notably for secondary education, on site at a scale that could also serve existing residents at the east of the town connected by new walking and cycling provision (Policy SP14(x)); and
- Contains mitigation-based policy criteria to contain development within a ridgeline ensuring development faces towards the existing town and does not unduly encroach into the more rolling, open countryside to the north (Policy SP14(k)), thereby seeking to minimise impact on the openness of the Green Belt.

21. The Council has never sought to rank sites in order of preference. However, in the above context, the use of this 'substantially harmful' Green Belt site is clearly preferable to, and more sustainable than, the more dispersed allocations in the District's non-Green Belt villages and / or some of those sites identified as making limited or moderate contributions to Green Belt purposes. This point has previously been acknowledged by the Council:

...some of the smaller villages in Category A in particular, are inevitably less sustainable locations for development than the towns and the larger Category A villages (such as Knebworth)

(NHDC Matter 2 statement, p.4, paragraph 28)

22. All of the sites proposed for development within the Plan period now assessed as making a significant contribution to Green Belt purposes meet at least three of the following criteria:

- Adjoin either a town (as identified in Policy SP2) or Knebworth - the District's largest village which is unique among the villages in having a station at its core;

- Make a strategic-scale contribution towards identified housing needs (500+ homes in scale);
- Make a significant contribution towards identified housing needs by providing more than 200 homes;
- Anticipated to make a substantive contribution to delivery within five years of plan adoption;
- Have specific criteria directing no development and / or lower intensity uses in more sensitive areas of the site;
- Provide (opportunities for) social infrastructure with a wider public benefit (i.e. materially in excess of the levels generated by the site itself).

LP Ref	BA1	EL1,2,3	GA1	GA2	HT1	KB4	LG1	NS1
Homes	2800	2100	330	600	700	200	900	900
Adjoins town / Knebworth	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Strategic Scale (500+)	Yes	Yes		Yes	Yes		Yes	Yes
Significant scale (200+)			Yes			Yes		
Delivery in five years	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Criteria directing devt.	Yes	Yes			Yes	Yes		Yes
Social infrastructure	Yes	Yes		Yes	Yes	Yes		

23. In other instances, potential Green Belt harm needed to be considered alongside other relevant factors. This included assessing the role and capacity of individual settlements and their associated infrastructure to determine whether, for example, a certain quantum of development would be required to deliver the improvements necessary to support growth. One such examples is at Codicote where the Council has sought to specify a quantum of development that can secure and sustain in the long-term increased capacity in the local primary school:

“At a settlement-level, the plan seeks to ensure that development operates either within the capacity of existing infrastructure or provides sufficient ‘critical mass’ of new development to support its expansion or improvement”

(NHDC Matter 5 Statement, Paragraph 33)

24. Proportionate consideration has been given to potential harms and benefits.

Consideration of Green Belt has been an integral part of this. Sites whose planning benefits are not considered to outweigh the harms, or where it is not possible to mitigate those harms to a reasonable degree through the application of policy criteria, have not been taken forward. There are no cases where, for example, the Council is proposing development it considers to be of limited benefit on a site that would lead to substantial harm to the Green Belt. A summary of the reasoning behind the allocation of individual sites is contained in Appendix B of HOU1. Those Green Belt sites rejected by HOU1 are shown in the table on the following page, along with their assessed contribution to Green

Belt purposes as set out in the GBRU. This supports the analysis above which explains how decisions to allocate sites, or not, was made on a holistic basis having regard to the evidence base. Green Belt was an important factor in this decision making process and was never ignored.

25. The Council's view of the exceptional circumstances supporting individual sites was addressed in great detail in the individual settlement hearing sessions in February and March 2018 (see NHDC Matter 10 statements in relation to Baldock, Hitchin, Letchworth Garden City, Stevenage (Graveley and Great Ashby) and Luton & Cockernhoe and NHDC Matter 11 statements in relation to Knebworth, Codicote, Little Wymondley, Ickleford, Breachwood Green and Kimpton). These statements also addressed, where applicable, the matter of those sites not selected for allocation. This can be seen in response to the Inspector's question of "Are all of the proposed allocations the most appropriate option given the reasonable alternatives?" (see NHDC Matter 10 statements in relation to Baldock, Hitchin and Luton and NHDC Matter 11 statements in relation to Codicote, Ickleford, Breachwood Green and Little Wymondley).
26. It is suggested that the above demonstrates that the contribution that a site makes to the Green Belt, whether it be significant or moderate or limited, was clearly a factor that was taken into account in determining whether or not exceptional circumstances exist to justify its allocation.

Table B: Green Belt sites rejected for allocation by HOU1

SHLAA ref	Town / parish	GBRU Contribution	Summary reasons
14	Baldock	Significant	Site in Green Belt parcel which makes significant contribution to Green Belt purposes. Not being promoted for development within five-year period. Proposed allocations in Baldock are considered to represent better opportunities as well as a reasonable maximum of development for this settlement.
340	Cockernhoe & East of Luton	Limited	Site to be brought within proposed village boundary where development supported in principle on unallocated sites. Potential impacts best considered through planning application and / or neighbourhood planning process. Any future development would contribute to windfall allowance.
30	Codicote	Limited	Proposed allocations in Codicote are considered to represent better opportunities as well as a reasonable maximum of development for this settlement.
205N	Codicote	Moderate	Proposed allocations in Codicote are considered to represent better opportunities as well as a reasonable maximum of development for this settlement.
315	Codicote	Moderate	Acceptability of site contingent on delivery of Site 205N which has not been selected.
225	Hitchin	Moderate	SHLAA identifies that, in urban layout terms, suitability is largely contingent on development occurring within area of flood risk. Site not required under Sequential Testing approach. Additional concerns over suitable access.
110	Hitchin	Significant	SHLAA identifies that, in urban layout terms, suitability is largely contingent on development occurring within area of flood risk. Site not required under Sequential Testing approach. Additional concerns over suitable access.
329	Ickleford	Limited	Heritage impact assessment advises against allocation of this land.
49	King's Walden	Moderate	Cumulative loss of allotments arising from allocation of this site and site 51 together would be unacceptable and Site 51 considered the better opportunity of the two available options.
121	Wymondley	Moderate	SHMA makes clear that acceptability contingent on Sequential and Exception Test if insufficient opportunities identified elsewhere. Sufficient sites identified to meet objectively assessed needs without resort to land in the flood plain.

Inspector's Query 2 – The justification for the allocation of sites now considered to make a significant contribution to Green Belt purposes

“...in the Green Belt Update, there is little in the way of justification for the conclusion that while some land is now considered to make a significant contribution to the Green Belt, it should nonetheless remain allocated for development.”

27. The Green Belt Review Update 2018 (GBRU) identifies 11 (parts of) sites that are now judged to make an increased, significant contribution to Green Belt purposes and are also proposed for allocation or safeguarding in the Plan. These are included in Table 6 of the GBRU (ED161A, pp.35-6) and are, in order of appearance in that table:

- Sites 212a, ELW and ELE, included in the Plan as strategic sites EL1, EL2 and EL3 under Policy SP19;
- Site WSN, included in the Plan as proposed safeguarded land under Policy SP8;
- Site NES3 included in the Plan as site / policy GA1 under Policy HS1
- Site NS included in the Plan as strategic site NS1 under Policy SP16;
- Sites 226 and 323 included in the Plan as strategic site GA2 under Policy SP18
- Sites B/r11a and 201 included in the Plan as parts of strategic site BA1 under Policy SP14⁴; and
- Site NL included in the Plan as strategic site LG1 under Policy SP15.

28. The GBRU concludes on a consistent basis and having regard to openness that all of the proposed strategic sites in the Plan (those sites of 500 or more homes as set out in Policies SP14 to SP19 inclusive) should be judged as having a significant impact. The rationale for this conclusion is clearly explained in the GBRU:

...the purpose [of site analysis] is to consider the impact that the (theoretical) introduction of additional built form through development might have within that specific area...

...A number of sites are assessed as having potentially significant Green Belt impacts. This includes (but is not limited to) some of the largest sites considered for inclusion in the Plan. This is perhaps unsurprising as these would, by definition, introduce the largest volumes of built development into the countryside.

(ED161A, p.20, paragraphs 3.10 and 3.13)

29. Whilst such harm will now take place in relation to more sites than originally anticipated the Council is of the view that exceptional circumstance remain to justify their allocation.

⁴ Both the Green Belt Review and GBRU assess site BA1 as a series of composite parts – see ED161A, p.28, Fig 4.10. This reflects how the sites were originally presented for consideration in the Strategic Housing Land Availability Assessment in order that different scales of development could be considered and assessed. These parcels with an assessed increase in harm represent a relatively small area of the proposed BA1 allocation. The largest parcel of land within site BA1 (Site 200) was assessed as making a significant contribution to Green Belt purposes in the original review and the Council's Matter 10 statement.

30. In relation to each site the increase in significance arises from assessing the impact of introducing (significantly) more than 300 homes onto currently undeveloped land. Each site is (well) in excess of 10 hectares in size. This is large enough that the loss of openness experienced from within each individual site would be significant. This has been assessed as the case even if the site is relatively concealed from the wider landscape which can reduce the impact on openness at a more strategic scale.

31. HOU1 provides a précis reasoning for the selection of each site in the proposed submission Plan. The individual statements to the examination relating to the relevant sites and areas set out the matters weighing in favour of allocating each site. This was supplemented by extensive verbal evidence given at the scheduled hearing sessions between November 2017 and March 2018.

32. An additional summary of the site-specific exceptional circumstances supporting proposed site BA1 is set out at Paragraph 20 of this paper. These are in addition to the District-wide circumstances applicable to all sites summarised at Paragraph 4 of this paper. The exceptional circumstances supporting the proposed East of Luton sites are set out separately in Paper C of this response. The evidence supporting the exceptional circumstances for the proposed safeguarded land West of Stevenage is set out separately in Paper D of this response. Summaries of the site-specific exceptional circumstances supporting each of the remaining sites proposed to meet North Hertfordshire's own housing needs and with an assessed increased, significant contribution following the GBRU are set out below.

33. For site GA1: Land at Roundwood (330 homes) (Policy GA1):

- Would make a substantial contribution to overall housing numbers achievable and critical to achievable levels of five-year housing land supply⁵ (HOU1, Appendix 2);
- Immediately adjoins the largest town in northern Hertfordshire and is therefore located in a sustainable location to address housing needs;
- Well established planting around the site limits wider impacts upon the strategic openness and purposes of Green Belt, notwithstanding the assessed significant impact (see NHDC Matter 10 Great Ashby Statement, p.4, paragraph 27 and ED161A, p.337);
- Relatively unconstrained on other, non-Green Belt grounds (NHDC Matter 10 Great Ashby Statement, p.4, paragraphs 26 to 29);
- Along with site GA2 provides one of only two reasonable alternatives for the expansion of Stevenage beyond its current limits to the north-east (NHDC Matter 10 Great Ashby Statement, p.7, paragraph 50); and
- Contains mitigation-based policy criteria to ensure development remains contained by existing woodland blocks to minimise impacts upon wider landscape.

34. For site GA2: Land off Mendip Way, Great Ashby (600 homes) (Policy SP18):

⁵ Two planning applications have been submitted and are currently under consideration for this site

- Critical to overall numbers achievable and also represents an opportunity to contribute to housing land supply within five-years of plan adoption (HOU1, Appendix 2);
- Immediately adjoins the largest town in northern Hertfordshire and is therefore located in a sustainable location to address housing needs;
- Allows for development to be masterplanned to ensure good placemaking principles are applied;
- Allows for development at a scale consistent with NPPF Paragraph 52 that can deliver a coherent new neighbourhood (rather than isolated development) to the north-east of existing tree belts around Great Ashby;
- Includes infrastructure provision, notably land for secondary education, on site at a scale that significantly exceeds the requirements generated by the site itself and would help address existing deficits at Great Ashby (Policy SP18(c), NHDC Matter 10 Great Ashby Statement, pp.2-3, paragraphs 13 and 17);
- No other, non-Green Belt issues that would be considered a fundamental constraint to development (NHDC Matter 10 Great Ashby Statement, pp.5-6, paragraphs 39 to 43);
- Along with site GA2 provides one of only two reasonable alternatives for the expansion of Stevenage beyond its current limits to the north-east (NHDC Matter 10 Great Ashby Statement, p.7, paragraph 50); and
- Contains mitigation-based policy criteria to maintain key woodland blocks and provide new structural planting to reinforce revised Green Belt boundary and minimise impacts upon wider landscape (Policy SP18(g) and (i)).

35. For site LG1: north of Letchworth Garden City (900 homes) (Policy SP15):

- Critical to overall numbers achievable and also represents an opportunity to make a significant contribution to housing land supply within five-years of plan adoption (HOU1, Appendix 2);
- Immediately adjoins one of the main towns in the District is therefore located in a sustainable location to address housing needs;
- Allows for development to be masterplanned to ensure good placemaking principles are applied;
- Allows for development at a scale consistent with NPPF Paragraph 52 that can deliver a coherent new neighbourhood (rather than a more dispersed strategy for development);
- No other, non-Green Belt issues that would be considered a fundamental constraint to development (NHDC Matter 10 Letchworth Statement, pp.3-4, paragraphs 16 to 21);
- Provides the only reasonable option for a strategic-scale expansion of Letchworth Garden City and one of only two reasonable alternatives of any scale for the expansion of the town beyond its current limits (NHDC Matter 10 Letchworth Statement, p.5, paragraph 32); and

- Contains mitigation-based policy criteria to ensure integration into the surrounding landscape and creation of a long-term, defensible Green Belt boundary (Policy SP15(e)).

36. For site NS1: North of Stevenage (900 homes) (Policy SP16):

- Critical to overall numbers achievable (HOU1, Appendix 2);
- Immediately adjoins the largest town in northern Hertfordshire and a proposed allocation in Stevenage Borough Council's recently adopted Local Plan and is therefore located in a sustainable location to address housing needs;
- Allows for development to be masterplanned to ensure good placemaking principles are applied;
- Allows for development at a scale consistent with NPPF Paragraph 52 that can deliver a coherent new neighbourhood (rather than a more dispersed strategy for development);
- No other, non-Green Belt issues that would be considered a fundamental constraint to development (NHDC Matter 10 Graveley Statement, pp.4-6, paragraphs 28 to 39);
- Provides the only reasonable alternative for the expansion of Stevenage beyond its current planned limits to the north (NHDC Matter 10 Graveley Statement, p.7, paragraph 48); and
- Contains mitigation-based policy criteria to ensure sensitive consideration of surrounding assets and minimise harms (Policy SP16(e), (g) and (h)).

37. The evidence submitted to the examination should be read and considered as a whole. The summary reasoning provided within the GBRU on this matter – particularly paragraphs 5.19 to 5.23 inclusive (ED161A, p.43) – in concert with the significant volume of material already submitted on this matter is more than sufficient to justify that exceptional circumstances exist to release these sites from the Green Belt and the retention of the allocations to achieve this even with an assessed increase in the contribution they make to the Green Belt.

38. Paragraphs 5.24 to 5.28 and Table 9 of the GBRU (ED161A, pp.43-44) specifically re-reviews those sites not carried forward for allocation, including those Green Belt sites identified at Paragraph 24 of this paper. It concludes that neither the rejected Green Belt or non-Green Belt sites would, as a matter of planning judgement, now be considered as better alternatives to the sites proposed for allocation in the Plan even in light of the revised assessment results.

39. Hearings have already been held on the basis that some sites proposed for allocation in the Plan would occasion significant harm to the Green Belt: proposed sites BA1 (Policy SP14), HT1 (Policy SP17) and KB4 (Policies HS1 & KB4). The Council reiterates the point made in the GBRU that it is not now...

“...suggesting development that would result in a level of assessed harm to Green Belt purposes that was previously considered unacceptable. This might not have been the case if, for example, the Plan had drawn a ‘red line’ at the

inclusion of sites with potentially significant harms and that threshold would [now] be breached having regard to the results of the revised assessment”
(ED161A, p.41, paragraph 5.14)

Inspector’s Query 3 – The approach to Green Belt in the Sustainability Appraisal

“The Sustainability Appraisal (2016) [LP4] does not appear to draw on the outputs of the Green Belt Review to any meaningful extent or make any distinction between land that contributes moderately to the Green Belt and land that contributes significantly. This may be a problem in itself.” (Paragraph 14)

40. Green Belt is a policy designation, not an environmental designation. The fact that land is, or is not, Green Belt does not in itself have environmental implications. The fact that land may be judged as making a limited, moderate or significant contribution to Green Belt purposes is not in itself an influence upon the outcomes of the appraisal process.

41. The Sustainability Appraisal (SA) comprehensively covers environmental factors which might, directly or indirectly, be relevant to the question of Green Belt contribution by virtue of how they impact upon (perceptions of) openness, the setting and extent of existing towns and / or countryside encroachment. The SA framework (LP4, Table 19, pp.50-52)⁶ considers:

- Protection and enhancement of biodiversity, including through consideration of habitats (Objective 3(a));
- Protection and enhancement of landscape (Objective 3(b)); and
- Conservation and, where appropriate, enhancement of the historic environment (Objective 3(c)).

42. The SA framework equally comprehensively considers the potential social, environmental and economic benefits and impacts / harms that might arise from prospective development on Green Belt sites. In addition to the factors above, the SA appraisal framework considers:

- The development of greenfield land and other land with high environmental and amenity value (Objective 2(a));
- Whether development will deliver more sustainable location patterns and reduce the use of motor vehicles (Objective 2(c));
- The provision of access to services and facilities for all (Objective 5(b));
- Access to decent and affordable housing (Objective 5(d)); and
- The promotion of sustainable urban living (Objective 7)

43. The appraisal of the Green Belt housing sites within Appendix 6 of the SA (LP4, pp.501-660) appropriately takes these matters into account. The SA is one part of the wide-ranging evidence base that informs consideration of individual sites in the overall planning balance approach set out above. The Council does not consider that this

⁶ Page numbers for the Sustainability Appraisal refer to the ‘NHDC page number’ printed in the top-right hand corner.

approach represents a 'problem' with the soundness or legal compliance of the Sustainability Appraisal.

Conclusions

44. This supplementary paper, alongside the extensive evidence already submitted to the examination both verbally and in writing, clearly addresses the key concerns raised by the Inspector in relation to the consideration of Green Belt sites and the Green Belt Review Update. In summary:

- The level of assessed harm to Green Belt sites has been an integral part of the Council's site selection and decision-making processes. However, this has not been conducted in a strictly sequential or quantitative way. In particular, sites judged as making a significant contribution to Green Belt purposes generally offer opportunities of a very different scale and nature to those assessed as having lower potential harms; all these considerations have been factored into the Council's judgment whether exceptional circumstances exist to justify the release of land from the Green Belt and the allocation of the sites for development; clearly exceptional circumstances do exist to justify this. Land has not simply been allocated irrespective of the contribution made by it to the Green Belt or based upon an imperative to meet the District's identified housing needs at all costs;
- There remains sufficient justification and exceptional circumstances for allocating these sites now even in light of the enhanced contribution that some have now been found to make to Green Belt purposes; and
- Green Belt and / or contribution to Green Belt purposes are not factors that need to be directly considered by the sustainability appraisal. This is because Green Belt is a policy rather than an environmental designation.

45. The Council accepts that the GBRU alters the evidential basis on which the hearing sessions for a small number of sites were held. However it does not agree that it would be unfair to interested participants to proceed without exploring this point at a further session.

46. Very few participants to the Examination objected to the proposed allocations on the basis of the scale of harm to the Green Belt identified by the Council, or with reference to the original Green Belt Review. From a review of representations and statements to the examination it is clear that many objectors objected to the fundamental principle of land being released from the Green Belt at all. Many would have objected to their allocation irrespective of their Green Belt status. Whether the identified harm was said to be limited, moderate or significant had little bearing on the number and nature of the submissions made. Substantial objections were received to sites that, at the time, were assessed as having moderate harms. The Council does not believe that the re-grading of some of these sites to 'significant' is likely to substantively alter the cases already put to the examination by many objectors.

47. Much of the material cited in this supplementary paper was available to the Inspector and all participants at the time of the original scheduled hearing sessions. The GBRU was subsequently made available and publically consulted upon between January and April 2019 (and available for some months beforehand). The Inspector has all the representations in relation to that consultation. This supplementary paper does not introduce any substantive new evidence. The additional analysis it does contain collates and reiterates points made extensively in submissions to the Examination. NHDC has already made its case clearly, consistently and at length and suggests that an additional hearing on this matter is not necessary as the Inspector has ample information to reach a conclusion on this matter.

Matter 9 Appendix A: Site Assessment Methodology Flow Chart

