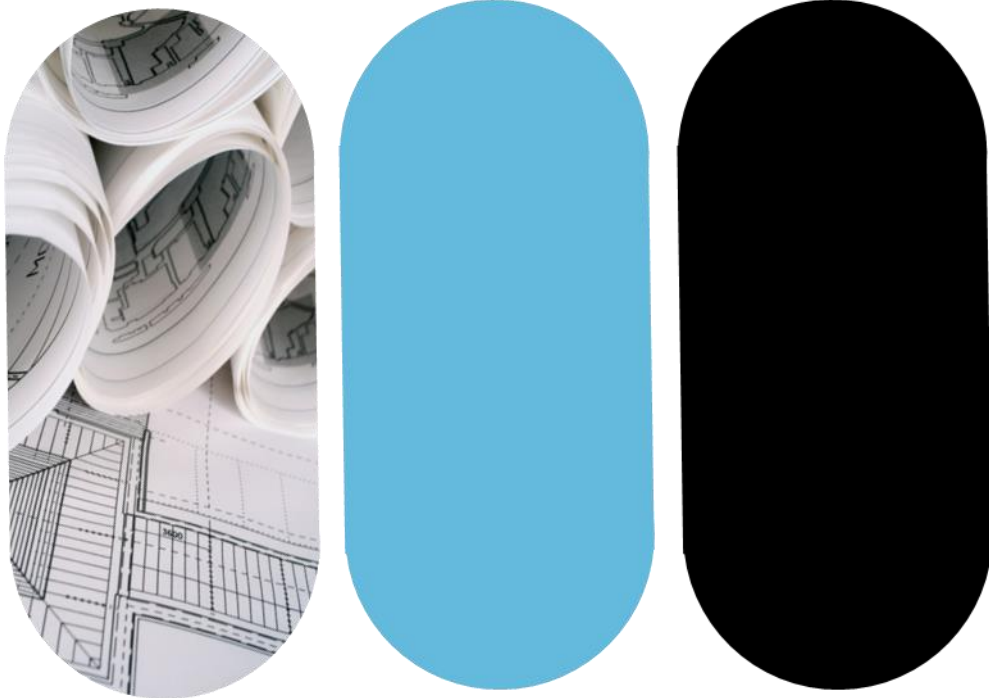


## **LANDS IMPROVEMENT HOLDINGS**

PROPOSED RESIDENTIAL DEVELOPMENT: Ref: S6/2015/1342/PP

LAND TO THE NORTH EAST OF KING GEORGE V PLAYING FIELDS,  
CUFFLEY

REVISED PLANNING STATEMENT (JULY 2021)





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## APPENDICES

1. Letter 18 December 2014 from Marrons Planning requesting a Screening Opinion
2. Screening Opinion 16 January 2015 from Welwyn Hatfield Borough Council
3. Vectos Drawing No: 141386/A/34 dated 12 May 2015: 'Village Gateway Improvement'
4. Illustrative Masterplan
5. EFM Education Report



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## 1. INTRODUCTION

- 1.1 This Revised Planning Statement (RPS) has been prepared by Marrons Planning on behalf of Lands Improvement (the Applicant) and forms part of their application for outline planning permission for up to 121 dwellings and associated infrastructure on land to the north east of King George V (KGV) Playing Fields, Cuffley. The Site, which in total extends to approximately 5.52 hectares (13.64 acres), is divided into two parcels; one of 4.89 hectares being promoted for houses and the other of 0.63 hectares which forms an extension to the playing fields; all as shown on the Site Location Plan which forms part of the Application.
- 1.2 The Application was submitted in June 2015 and accorded the reference S6/2015/1342/PP. As a result of delay in progressing the emerging Local Plan the Application remains undetermined.
- 1.3 This RPS addresses changes arising since the Application was in June 2015. It maintains unchanged those part of the 2015 Planning Statement which remain relevant and updates other sections as necessary. This RPS therefore wholly supersedes the 2015 Planning Statement submitted with the Application.
- 1.4 The RPS provides a description of the proposed development and demonstrates how the development accords with the relevant planning policies set out in the National Planning Policy Framework (“the Framework”), the existing and emerging development plan policies for Welwyn Hatfield Borough and any other relevant planning guidance. It also includes draft Heads of Terms to form the basis of the S106 Agreement.
- 1.5 The proposals are in outline, with all matters reserved apart from the vehicular access, the surface water discharge point and levels of the development platforms. The scheme provides for residential



development of various types and sizes as shown on the Illustrative Masterplan.

1.6 This Statement draws upon evidence that can be found in the following documents which have been prepared as part of the application, as required by the Borough Council and set out in its validation list:

- Design and Access Statement which includes a chapter containing the Energy Statement;
- Draft Heads of Terms including Affordable Housing within Planning Statement (Section 8);
- Landscape and Visual Assessment;
- Ecological Appraisals, including protected species surveys, (including 2021 update);
- Flood Risk Assessment and Drainage Strategy (including 2021 update);
- Archaeological Desk Based Assessment and Trial Trenching Report;
- Geo-Physical Survey Report;
- Geo-Environmental Phases 1 and 2;
- Transport Assessment and Green Travel Plan (including March 2021 update and Vectos Transport Technical Note of July, 2021);
- Arboricultural Assessment;
- Geo-Environmental Assessment (Phase 1 and 2);
- Noise Assessment;
- Air Quality Assessment;
- Services Supply Statement; and
- Statement of Community Involvement.



- 1.7 The following plans are submitted as part of the Application and specifically in respect of:

**Outline Plans**

- Site Location Plan (Drawing No: 2271-A-1100-B)
- Illustrative Masterplan (Drawing No: 2271-C-1005-B)
- Parameters Plans;
  - Land Use (Drawing No: 2271-SK-1403-D)
  - Green Infrastructure (Drawing No: 2271-SK-1402-E)
  - Storey Height (Drawing No: 2271-SK-1400-D)
- Topographical Survey Pages 1 – 10 (Drawing Nos: 1667\_200\_1-10 )

**Detailed Plans**

- Site Access (Drawing No: 141386/A/35)
- Ground Levels Plan (Drawing No: 2271-A-1009-D)
- Surface Water Drainage Strategy Option 1 (Drawing No:10316-DR-04);
- Surface Water Drainage Strategy Option 2 (Drawing No:10316-DR-11)

- 1.8 Initial pre-application advice was provided by the Council. This did not include an assessment of Very Special Circumstances which is required when considering any planning application for development within the Green Belt, but instead focused on technical issues and other matters of detail; all of which have been taken into account in the formulation of the proposals for the Site's development except for



those detailed points raised which will be determined as part of subsequent reserved matters applications.

- 1.9 In formulating its proposals for the Site, the Applicant and its advisors have proposed a sustainable development which will create a high quality built environment, is easily accessible to Cuffley's services and facilities. As part of this process, a detailed community engagement strategy has been implemented to enable the local community to be informed and comment on the emerging proposals and influence the content of the Application. Further information is provided within the Statement of Community Involvement, prepared by Political Developments, which accompanies the Application.
- 1.10 The Applicant entered into a Planning Performance Agreement with the Borough Council, enabling a significant number of meetings to be held with various stakeholder interests and planning officers.
- 1.11 Following a request for a screening opinion (Appendix 1 refers), Welwyn Hatfield Borough Council advised that it was of the opinion that the development is not EIA development in accordance with the definition set out in the Regulations and would not require an Environmental Impact Assessment. (Appendix 2 refers).
- 1.12 It is considered there have been no change in circumstances since 2015 to alter the conclusion that the application proposals are an EIA development.



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## 2. SITE DESCRIPTION AND CHARACTERISTICS

### Local Context

- 2.1 With a population of about 4,000 people, Cuffley has a good range of services and facilities to serve its population including a supermarket, bank, doctor's surgery, village hall, library, sports facilities and a dental practice. In addition, Cuffley has a local primary school and a train station, which serves a number of locations including Hertford and London.
- 2.2 The village is located in south east Hertfordshire between the towns of Goffs Oak / Cheshunt and Potters Bar. It has excellent transport links with junctions 24 and 25 of the M1 located within a couple miles of the village.

### Site Description

- 2.3 The Site is in two parts:
- i. the largest (the Principal Site) is the area for residential development to the north east of the King George V (KGV) playing fields, inclusive of the surface water connection points; and,
  - ii. the smaller, detached site to the south of the Tennis Club will enable an extension to the KGV playing fields to be provided as part of the development.
- 2.4 The Principal Site, which is 4.89ha in size, is located to the south of Cuffley and is currently in agricultural use. It is bound to the north by existing residential development and the grounds of Cuffley Primary School. The railway line and Northaw Road East (B156) form strong eastern and western boundaries respectively. On the opposite side of the road, there are three pairs of semi-detached dwellings which, whilst fronting Northaw Road East, are accessed from Colesdale to the north. The southern boundary is defined by a mature hedgerow



and tree belt lining the Hertfordshire Way footpath. Beyond the footpath to the south west of the Site and fronting Northaw Road East is the KGV Playing Fields, comprising various sports clubs, and including three sports pavilions, a recreation area with hard surfaced MUGA, sports pitches and a small area of formal play equipment.

2.5 The Smaller Site comprises a rectangular parcel of agricultural land, located to the south west of the Tennis Club, which has an area of 0.63 hectares. Northaw Road East forms the western boundary of the land, on the opposite side of which are a small number of residential properties and buildings associated with agricultural use. Further agricultural land lies to the south whilst tennis courts, sports pavilions and a bowling green are located to the north east and south east of the Site.

2.6 A more detailed description of the Principal Site is set out in the Design and Access Statement. The relevant matters for the purposes of this Statement are:

- This principal greenfield Site extends to 4.89 hectares and comprises a single parcel of arable land.
- The Site has few features of environmental interest; hedgerows and mature trees along some of its boundaries, which will be retained as far as possible and managed as part of the proposed development.
- The Site is well contained by:
  - residential development and Cuffley Primary School to the north;
  - the buildings and ancillary facilities associated with the KGV Playing Fields to the south;
  - boundary vegetation to the west, along Northaw Road East;





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- a hedge along the edge of the school playing field to the north;
  - an avenue of trees either side of a public footpath to the south; and
  - the Hertford loop railway line to the east.
- Vehicular access to the Site is possible from Northaw Road East.



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### 3. DESCRIPTION OF DEVELOPMENT

3.1 The description of development is set out on the application form as follows:

*“Residential development of up to 121 dwellings, associated infrastructure and a change of use from agricultural land to an extension of the King George V playing fields. All matters reserved except for new vehicular access to serve the site, the provision of surface water discharge points and the levels of the development platforms”.*

3.2 The proposed development is described in detail in the Design and Access Statement. The relevant matters for the purposes of this statement are:

- The development will provide up to 121 new homes, of which 30% will be affordable dwellings. These will comprise a range of house types, sizes and tenures in order to provide a wide choice of homes, able to accommodate a variety of household types and thereby creating a mixed and inclusive community.
- The density of the development at approximately 25 dwellings per hectare (dph) responds to the existing character of Cuffley whilst making efficient use of the Site and providing a mix of housing.
- With the exception of a small number of bungalows, the scale of the new homes will be 2 and 2½ storey, which reflects the building heights in, and the sensitivity of, the surrounding area.
- The development will retain and protect the mature trees and hedges wherever possible and appropriate, whilst also introducing new planting which will help assimilate the site into the wider landscape, as expanded upon in the Illustrative Landscape Plan (contained within the Design and Access Statement) and be managed for the benefit of wildlife and the visual amenity of the area.



- The development will be served by a new vehicular and pedestrian access from Northaw Road East.
- A pedestrian link will also be provided through the development between the existing car park to KGV Playing Fields and South Drive. This will provide a safer and more convenient route between the car park and Cuffley Primary School than currently exists, allowing parents to walk their children safely through the development to school.
- The development will provide an extension to the playing fields on land detached from, but close to, the Principal Site to the south of the Tennis Club which, although within the ownership of the Applicant, is closely associated with the existing playing fields' facilities.
- The development will provide financial contributions towards local infrastructure and services, where justified and necessary.

3.3 The proposed development will therefore create a small scale, proportional and sustainable addition to Cuffley, contributing towards the housing needs of the area, as well as improvements to the services and facilities within the village for the benefit of existing and new residents.



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## 4. ASSESSMENT OF NATIONAL PLANNING POLICY

- 4.1 At the time the Application was submitted national planning policy was set out in the 2012 Framework. The revised Framework was published on 24th July 2018 and was subject to further minor revisions in February 2019.
- 4.2 This section of the RPS sets out those aspects of national planning policy which are relevant to the determination of the Application. The subsequent sections, and in particular the various topic areas, expand upon the proposal's compliance with national policy.
- 4.3 The Framework sets out the Government's planning policies for England and how these are to be applied. It is supplemented by the Planning Practice Guidance (PPG). The Framework is a material consideration on planning decisions (Framework, para 2) and should be read as a whole (Framework, para 3).
- 4.4 Planning law as set out at Section 38(6) of the Act requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework is a significant material consideration in determining this application.

### Sustainable Development and Overarching Objectives

- 4.5 The revised Framework maintains the Government's commitment to the delivery of sustainable development. Paragraph 7 states that the "purpose of the planning system is to contribute to the achievement of sustainable development". Paragraph 8 states that the planning system has three overarching objectives:
- An economic objective – to help build a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right place at the right time to support growth and innovation;
  - A social objective – to support strong, vibrant and healthy



communities by providing a sufficient number and range of homes to meet the needs of present and future generations and fostering a well-designed and safe built environment; and

- An environmental objective – to contribute to protecting and enhancing the natural, built and historic environment, through, inter alia, making effective use land, and helping to mitigate and adapt to climate change.

4.6 It is considered that the Application accords with these over-arching objectives, which are intended to deliver the overall high level objective of securing sustainable development.

#### **The Presumption in Favour of Sustainable Development**

4.7 The presumption in favour of sustainable development is set out at para 11 of the Framework. For decision taking this means:

- approving development proposals that accord with an up to date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
  - i) the application of policies in this Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or
  - ii) 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.

4.8 While the draft Local Plan (DLP) is not yet adopted it is at an advanced stage of preparation and has passed through the examination process. Within the DLP the Application site is allocated for the development proposed in the Application. In due course therefore and once the DLP



is adopted the proposals will benefit from the Section 38(6) presumption in favour of development which accords with the plan.

4.9 It is acknowledged by the Council that they are unable to demonstrate a 5 year supply of housing land (Annual Monitoring Report 2019-2020, January 2021, Table 14, records a housing supply figure of 2.58 years). As a consequence, the most relevant policies bearing on the determination of the Application concerning housing provision within the adopted Local Plan are therefore out of date and the tilted balance in favour of development in paragraph 11 of the Framework is engaged, which is an important material consideration in the determination of the Application.

4.10 However, as the Application site currently remains within the Green Belt, albeit proposed to be excluded from the Green Belt in the DLP, the presumption in favour of the grant of planning permission accorded by the tilted balance is currently suspended as a result of footnote 6 of the Framework.

4.11 These timing considerations bear on the Application and are addressed further in respect of the very special circumstance arising with regard to the grant of planning permission for development proposed in the Green Belt. It is therefore considered that the Application proposals will benefit from the provisions of paragraph 11 (d) of the Framework and that there are no adverse impacts arising from the grant of planning permission for the appeal proposals that would significantly and demonstrably outweigh the benefits of the development.

4.12 In accordance with the advice on decision making set out in Section 4 of the Framework, the application proposals have been the subject of pre-application engagement with the local planning authority.

### **Delivering a Sufficient Supply of Homes**

4.13 To significantly boost the supply of housing, local planning authorities should ensure that a sufficient supply and variety of land can come



forward where it is needed (Framework, para 59). The application proposals will contribute towards delivering this objective by providing significant number of new dwellings at one of the Borough's principal settlements, widen the opportunity for home ownership and contribute towards the creation of a sustainable, inclusive and mixed community.

- 4.14 The assessment of housing need should have regard to the needs of different groups in the community, including for open market and affordable housing (Framework, para 61). The Application will deliver a mix of housing types and tenures, including 30% affordable housing.
- 4.15 Planning policy should ensure that Local Plans meet the full, objectively assessed needs for market and affordable housing and identify a sufficient supply and mix of sites sufficient to provide five years' worth of housing against their housing requirements (Framework, para 67). Local planning authorities should identify and update annually a supply of specific deliverable sites to provide a minimum of five year's supply of housing against their housing requirement, to include an additional buffer of 5% to 20% to ensure choice and competition or to allow for where there has been significant under delivery of housing, to improve the prospect of achieving the planned supply (Framework, para 73).
- 4.16 The Council are currently only able to demonstrate a 2.58 years supply of housing: the Application will contribute towards the Council's requirement to meet local housing need and deliver its five year housing supply and delivery requirements.
- 4.17 Housing delivery has fallen below the level required to meet housing need. In accordance with the Framework (paragraph 75) the Council have produced a Housing Delivery Test Action Plan (March 2021) to identify and overcome the causes of under delivery overcome.

### **Building A Strong, Competitive Economy**

- 4.18 As set out at para 4.10 above the application proposal will contribute towards the Government's economic objectives for planning at Section



6 of the Framework, through the investment it will deliver during the construction of the scheme, the direct and indirect employment it will provide on-site and through the supply chain, the generation of income and expenditure and taxation. Thereafter spending by residents of the completed development will support local shops and services within Cuffley and beyond.

- 4.19 The delivery of new housing will benefit the current economic imbalance in the Borough, where the number of jobs significantly exceeds the size of the resident workforce, contributing to high levels of in commuting and an unsustainable pattern of development (see DLP, para 10.2), and the need to increase housing provision as part of the Council's growth agenda. The Application will thereby contribute towards the delivery of sustainable economic growth and assist in easing potential barriers to investment by helping to reduce the current inadequate provision of housing (Framework, paras 81(a) and (d)).

### **Ensuring the vitality of town centres**

- 4.20 The application proposals will contribute towards increased patronage of the shops and allied retail service businesses in Cuffley town centre and assist in sustaining and enhancing the centre's vitality and viability, in accord with the Government's objectives for town centres set out in Section 7 of the Framework.

### **Promoting healthy and safe communities**

- 4.21 Section 8 of the Framework seeks to promote healthy and safe communities. It notes that planning decisions should aim to achieve healthy, inclusive and safe places which promote interaction, street layouts that allow for easy pedestrian and cycle connections, developments which are safe and accessible with legible pedestrian routes, safe and accessible green infrastructure and sports facilities, and which provide an integrated approach to housing and community facilities.





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4.22 The illustrative Masterplan for the development shows how a pedestrian link will be provided through the development between the existing car park to KGV Playing Fields and South Drive. This will provide a safer and more convenient route between the car park and Cuffley Primary School than currently exists, allowing parents to walk their children safely through the development to school.

4.23 Consistent with the requirements of the Framework, with regard to open space, recreation and allied facilities the development will have easy access to high quality open spaces and sport and recreation facilities within the village, an extension to the existing KGV Playing Fields, provision of permissive paths on land adjacent to the application site and improvements to the Hertfordshire Way.

#### Promoting sustainable transport

4.24 Promoting sustainable transport is addressed in Section 9 of the Framework. It requires that transport issues are considered from the earliest stage in both plan making and development proposals to fully address the impacts of development on transport networks; that advantage is taken of existing transport infrastructure; opportunities for non-car modes of transport are identified and pursued; that environmental impact is appropriately considered; and movement considerations are integral to the design of a schemes (Paragraph 102).

4.25 Paragraph 103 requires that significant development is focussed on locations which are sustainable, through limiting the need to travel and offering a choice of transport modes.

4.26 Paragraph 108 seeks to ensure that decisions concerning new development should ensure that:

- opportunities to promote sustainable transport modes have been taken up, given the type of development and its location;
- safe and suitable access to the site can be achieved by all



users; and

any significant impacts from the development on the highway network or on highway safety can be cost effectively mitigated.

- 4.27 Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety where the residual cumulative impacts on the road network would be severe (paragraph 109).
- 4.28 Cuffley is acknowledged as being one of the most sustainable locations within the Borough and the site is in a sustainable location within the village, enabling easy access on foot or by bicycle to day-to-day facilities within the village, including the Primary School, the medical centre, the library, the wide range of shops and other services, including the Co-op and Tesco's express store, as well as being within walking distance of bus and rail services connecting Cuffley to London and Hertford and locations in between.
- 4.29 The proposed vehicular access and connections provide safe and suitable access to the Site for all people, as described in the Transport Assessment and Design and Access Statement.
- 4.30 The development will be sustainable in transport terms and the design of the development provides for safe and suitable access. The Transport Statement accompanying the application, updated in March 2021, demonstrates that the proposed development gives rise to no conflict with the policies of the Framework in respect of transport and highway considerations. It confirms that subject to appropriate developer contributions that the Highway Authority have no objection to the application proposals.
- 4.31 There is therefore no objection to the application proposals on highway or parking grounds.

#### **Making effective use of land**



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- 4.32 Section 11 of the Framework is concerned with making effective use of land. The density of the development at approximately 25 dwellings per hectare responds to the existing character of Cuffley and makes efficient use of the site. The development proposed also accords with the provisions of the Framework that planning decisions should support development that delivers improved public access to the countryside (paragraph 118 (a)), which maintains an area's prevailing character and setting, while securing well-designed, attractive and healthy places (Framework, para 122 (d) and (e)).

#### **Achieving well-designed places**

- 4.33 Section 12 of the Framework (paragraph 124) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and that good design is a key aspect of sustainable development. Whilst an outline application the illustrative Masterplan and the Design and Access Statement sets out the design rationale adopted to the proposed development and demonstrate the high quality of the proposals that will be delivered.
- 4.34 The Framework (paragraph 127) requires that planning decisions should aim to ensure that developments:
- will function well and add to the overall quality of the area;
  - are visually attractive as a result of good architecture, layout and appropriate landscaping;
  - are sympathetic to local character and history, including the surrounding built environment and landscape setting;
  - establish or maintain a strong sense of place, using streetscapes, building types and materials, to create attractive, welcoming and distinctive places;



- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities and transport networks; and
- create places that are safe, inclusive and accessible and which promote health and well-being with a high standard of amenity.

4.35 The illustrative Masterplan and the Design and Access Statement demonstrate that the application proposals will deliver a high quality design with a good standard of amenity for all existing and future occupants which integrates into the existing built up area, and respects the layout of the surrounding residential areas and which accords with the Framework's objectives set out above.

#### Protecting Green Belt land

4.36 Section 13 of the Framework (paragraph 133) confirms that the Government attaches great importance to the Green Belt. It reiterates that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristic of Green Belts are their openness and their permanence.

4.37 Once established, Green Belt boundaries should only be altered in exceptional circumstances through the preparation or updating plans (paragraph 136). Any changes to Green Belt boundaries should have regard to their intended permanence in the long term so that they can endure beyond the plan period (paragraph 139).

4.38 When reviewing Green Belt boundaries, local planning authorities should take account of the need to promote sustainable patterns of development (paragraph 138). Where it is concluded that it is necessary to release land from the Green Belt first consideration should be given to land that has been previously developed and/or is well-served by public transport.

4.39 Once Green Belts have been defined local planning authorities should plan positively to enhance their beneficial use, such as looking for



opportunities to provide access and opportunities for outdoor sport and recreation (paragraph, 141).

- 4.40 With regard to proposals affecting Green Belts the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in Very Special Circumstances (paragraph 143). When considering planning applications local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal is outweighed by other considerations (paragraph 144).
- 4.41 The Examination of the DLP has established that Very Special Circumstances exist to justify the release of land from the Green Belt in Cuffley and the allocation of the Application site for residential development. The Application proposals will therefore give rise to no conflict with Green Belt policy following the exclusion of the site from the Green Belt. The Very Special Circumstances bearing on the Site's development are considered in detail in Section 7 below.

#### **Meeting the challenge of climate change and flooding**

- 4.42 The proposed development has been designed to avoid increased vulnerability to the range of impacts arising from climate change, and ensures that development does not increase flood risk elsewhere through providing attenuation features within the site. In addition, the SUDs features to be incorporated into the Site will provide ecological benefits for new and existing residents alongside the local primary school who could utilise the ecological features for educational purposes.
- 4.43 The Flood Risk Assessment (FRA) February, 2021, prepared by Brookbanks in support of the application concludes that the application site is within Zone 1 with a low probability of flooding from fluvial and tidal sources and a similarly low probability of flooding from overland flow, ground water and sewer flooding and that the site is preferably



located in accordance with the sequential approach to the siting of development set out in the Framework.

- 4.44 A policy compliant surface water drainage strategy will be incorporated into the scheme and the residential drainage system will manage storm water by a SuDS management train, will ensure that peak discharge from the developed land are reduced by almost 70% below baseline rates and improve the quality of water discharged from the site.
- 4.45 Foul drainage will be provided that meets regulatory requirements and will discharge into a sewer network with capacity to accommodate the flows.
- 4.46 The FRA sets out that the Environment Agency has confirmed that with the measures proposed the development will not increase flood risk and can be adequately drained. The appeal proposals will therefore accord with the requirements of Section 14 of the Framework with regard to flooding and allied considerations.

#### Conserving and enhancing the natural environment

- 4.47 The conservation and enhancement of the natural environment is addressed in Section 15 of the Framework, which seeks, inter alia, to recognise the intrinsic beauty of the countryside and the importance of the most versatile agricultural land, trees and woodland.
- 4.48 The ecological and protected species assessments prepared by Hankinson Duckett Associates (Bat Survey Report, Updated Ecological Appraisal and Reptile Survey Report (all January, 2021) demonstrates the site is dominated by a single arable field of negligible nature conservation importance in its own right, with no areas of conservation importance within or adjacent to the site. No designated sites within the wider area are expected to be impacted by the proposed development, either alone or in combination with other plans and projects.



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- 4.49 The habitats of most importance are located on the site margins and are of limited nature conservation interest but form part of the habitat network around the site. The site is considered unlikely to support an assemblage of breeding birds, no active badger setts were recorded within or adjacent to the site and no reptiles were found on the site.
- 4.50 The majority of the site, including the area proposed for residential development, comprises an intensively farmed arable field of low quality habitat for foraging and commuting bats and is of negligible value. The tree belt associated with the Hertfordshire Way along the southern boundary of the site is assessed as being of high value for foraging and commuting bats. Tree cover on the site with the potential to support bat roosts will be retained and maintained to provide connectivity with the wider habitat area.
- 4.51 Strengthening of vegetation on the northern and eastern site boundaries and allied measures could significantly increase the value of the site for bats in accordance with nature conservation legislation, including the 2006 Natural Environment and Rural Communities Act. Appropriate planting as part of the landscaping of the site and allied to the surface water drainage strategy will ensure that the development accords with the policies of the Framework in minimising impacts and providing net gains for biodiversity (paragraph 170).
- 4.52 The proposed development provides opportunities to incorporate biodiversity and enhance the natural environment through planting of native trees and vegetation within the landscaping for the development as shown in the landscaping proposals prepared by FDA Landscaping. In addition, the development can be satisfactorily accommodated within the landscape without causing significant adverse effects. The above demonstrates that the proposed development can be delivered in accordance with the guidance set out in Section 15 of the Framework in respect of relevant environmental considerations.



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4.53 The geo-physical surveys and assessments accompanying the application demonstrate that the site is suitable for the proposed use having regard to geo-technical considerations and that the site is free of contamination (Framework, paragraphs 178-179).

4.54 The noise assessments and air quality assessment submitted in support of the application demonstrate that the site is suitable for the proposed use having regard to such environmental considerations. The site is not exposed to any material scale of pollution from artificial light sources (Framework, paragraph 180).

#### **Conserving and Enhancing the Historic Environment**

4.55 Heritage issues are addressed in Section 16 of the Framework. Following an initial desk top archaeological assessment, geo-physical analysis and trial trenching was subsequently undertaken across the site. The results of the archaeological assessment were largely negative and the Council's archaeological assessor has advised that no objection be raised to the application on heritage grounds, subject to the imposition of a condition requiring further investigation of the site prior to the commencement of development.

#### **National Planning Policy Conclusion**

4.56 Given the above it is considered that the Application proposals are wholly consistent with national planning policy set out in the Framework.





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## 5. ASSESSMENT OF THE PROPOSAL AGAINST THE DEVELOPMENT PLAN

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 The development plan for the purposes of the proposal consists of the 'saved' policies of the Welwyn Hatfield District Plan, which was adopted in 2005 and covered the period up to 2011. (The development plan also includes the Hertfordshire Waste Local Plan 2012-2014 and the Hertfordshire Minerals Local Plan 2007, however neither of these parts of the development plan are relevant to the current application).
- 5.3 While the majority of the policies of the District Plan were saved by a direction made by the Secretary of State in 2008, the plan is now time expired.
- 5.4 However, existing policies should not be considered out-of-date because they were adopted prior to the publication of the Framework. The weight to be accorded to the 'saved policies in respect of the current application must have regard to their consistency with the Framework (paragraph 213).
- 5.5 The Neighbourhood Plan is at an even earlier stage of preparation than the Local Plan. However, as it will need to be consistent with the DLP's policies and proposals, this is not considered to be a factor weighing against the Application proposals.

### Strategy and the Principle of Development

- 5.6 Policy SD1 requires that development proposals accord with the principles of sustainable development and the objectives and policies of the Plan. As set out in Section 4, the application proposals are demonstrably sustainable having regard to the up-to-date policies set



out in the Framework and the sustainable development strategy set out in the well advanced DLP.

- 5.7 While the site currently falls within the Green Belt, that designation is time limited and will shortly cease to be a policy applicable to the site as set out in Section 4.
- 5.8 The application proposals are therefore considered to accord with Policy SD1.
- 5.9 Housing provision made in the District Plan is set out at Policy H1. This makes provision for the development of 5600 dwellings over the period 1991 and 2011. The Local Plan was only intended to cover the period up to 2011, and therefore, only provided for an adequate number of housing sites to meet the housing requirements for this period, as contained within the now revoked Structure Plan. The policy is also not consistent with the requirements of the Framework in that it does not make provision for the objectively assessed housing needs of the Borough. It is also the case that there is an absence of a five year housing supply.
- 5.10 Given the above it is concluded that the Policy H1 is now wholly out of date and it is considered that no weight should be accorded to it.
- 5.11 The application site is not the subject of any other specific designations or policies.
- 5.12 Generic policies, applicable to all development proposals within the Borough, have also been taken into account in the formulation of the Application proposals. The following policies were either specifically referred to in the aforementioned pre-application letter dated 23 April 2014 from the Council or are considered pertinent to the determination of the application:
- **Policy D1 ‘Quality of Design’** which requires that the design principles and policies contained within the Plan are incorporated into the development, as well as the guidance



contained in the **Supplementary Design Guidance**. As set out in the Design and Access Statement, the design and layout of the development, as reflected in the Illustrative Masterplan, will not only be of a very high quality which sits comfortably with the local vernacular but also takes account of its relationship with neighbouring properties in order to minimise the impact on their residential amenities and other features which make a positive contribution to the quality of the development, including the mature trees and hedgerows which are to be retained and the public and private amenity space which is to be provided.

- **Policy M5 - Pedestrian Facilities** seeks the inclusion of safe and direct routes within new developments linking to existing or proposed footpath networks and facilities. Developers may also be required to contribute towards off-site pedestrian facilities be necessary to integrate it with surrounding areas. The Hertfordshire Way runs along the southern boundary of the Site and in view of the increased use of this public right of way arising from the development, the Applicant is willing to make a financial contribution towards the cost of surface improvements. Further off site pedestrian facilities will be provided in the form of permissive paths around the agricultural land to the south in the ownership of Lands Improvement; all as shown on the Landscape Framework Plan within the Design and Access Statement accompanying the application. These will provide a greater variety of recreational routes and opportunities to connect to the local footpath network of benefit to both existing and new residents within the area.
- **Policy M6 'Cycle Routes and Facilities'** seeks to encourage cycling through the inclusion of safe cycle routes within the development. The principal pedestrian and cycling route, to be provided by the development, will connect South Drive to



the north with the KGV Playing Fields to the south, thereby providing a safe route to the primary school and the recreational and sports facilities.

- **Policy M14 ‘Parking Standards for New Development’** requires parking provision in accordance with the Council’s Supplementary Planning Guidance (SPG). This has now been superseded by the Interim Policy for Car Parking Standards (August 2014) to treat all car parking standards as guidelines rather than maximums and to seek garage space provision of 6m x 3m. These consideration will be will be taken into account in the formulation of Reserved Matters applications.
- **Policy D8 ‘Landscaping’** requires landscaping to be an integral part of the overall design. Hankinson Duckett has advised on the Landscape Strategy to be pursued, which is reflected in the Illustrative Masterplan and described in the Design and Access Statement, which retains the mature trees and hedgerows and the sense of enclosure they provide, as well as incorporating new planting contributing to the visual amenity of the area. Detailed landscaping proposals will be produced as part of subsequent Reserved Matters applications.
- **Policy R3 ‘Energy Efficiency’** requires that all development includes measures to maximise energy conservation through the design of buildings and site layout. Such energy considerations and allied matters will be addressed at the Reserved Matters stage.
- **Policy R10 ‘Water Conservation Measures’** includes an expectation that new development incorporates water conservation measures, wherever applicable, including sustainable drainage systems, water storage systems, soft landscaping and permeable surfaces to help reduce surface water run off. These measures, including sustainable urban



drainage measures, have been incorporated into the design of the development as shown on the Illustrative Masterplan and described in the Flood Risk Assessment accompanying the Application.

- **Policy D9 ‘Access and Design for People with Disabilities’** requires new development to be designed to allow access, not just for those with disabilities, but also for young children in prams and pushchairs and those who are temporarily disabled as a result of an accident or injury. In view of the change in levels across the site, the Illustrative Masterplan has had particular regard to the gradients of the roads and footpaths within the Site in order to ensure compliance with the requirements of the Disability Discriminatory Act. Approval of the finished levels of the development platforms is being sought as part of the Application.
- **Policy H7 ‘Affordable Housing’** includes a target of 30% for affordable housing. Lands Improvement has agreed with the Council’s Housing Officer that 30% of the new homes will be affordable and of these a large proportion will be two bedroomed dwellings; either flats or houses and possibly a small number of bungalows. On the basis of this mix, it has been agreed that 50% of the dwellings will be provided for affordable rent and 50% as intermediate (shared ownership) properties.
- **Policy H10 ‘Accessible Housing’** requires that all development of five or more dwellings includes a proportion built to Lifetime Homes standard; the details of which will be provided at the Reserved Matters stage.
- **Policy OS2 – Playing Pitch Provision** states that the Council will seek to maintain its current level of playing pitch provision, and where there is a lack of playing pitch provision, sites in excess of 0.4 ha will be expected to contribute towards the



provision of new facilities. The proposed development includes the change of use of land to enable an extension of the KGV playing fields, as detailed in paragraphs 7.10 – 7.12 below.

- **Policy OS3 - Play Space and Informal Open Space Provision in New Residential Development** expects new residential development to make a contribution to the provision of children's play space and informal open space, where the increased demands generated by the new households cannot be met by current levels of provision, based on NPFA standards. A large area of public open space for informal recreation is to be provided as part of the development. This will be easily accessible by pedestrians and cyclists, and be designed to be a safe and secure environment for all people using the facility.

A children's play area is located immediately adjacent to the Site on land within the KGV playing fields. Although a new facility could be provided as part of the development, following discussions with the Parish and Borough Councils, it is proposed to provide a financial contribution to enable the enhancement of the existing play facilities, thereby providing one excellent facility rather than two average ones.



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## 6. MATERIAL CONSIDERATIONS

- 6.1 The DLP is at an advanced stage of preparation. It has passed through its Examination and the Local Plan Inspector has issued his preliminary conclusions and advice (Interim Report, October, 2020). Proposed Main Modifications (MM) have been issued by the Council. Given the progresses towards adoption now made with the DLP it is considered that significant weight should be accorded to its policies and proposals.
- 6.2 In the preparation of the DLP the Council has come to the clear conclusion that in order to meet housing requirements Exceptional Circumstances exist to review the boundaries of the Green Belt. This conclusion has been endorsed by the LP Inspector in his Interim Report (see paragraph 7.2 below).
- 6.3 While the Inspector has yet to issue his final report and further modifications may be made to the plan, the Application Site has been allocated as a site to be released from the Green Belt and allocated for residential development since the time of the DLP Submission in 2016. There are no unresolved objections to the site's allocation and for the reasons set out in Section 4 above its development as proposed is considered to accord with the policies set out in the Framework. It is therefore considered that significant weight can be accorded to the policies and proposals of the DLP given the provisions of paragraph 48 of the Framework.
- 6.4 The strategic policies of the DLP are concerned with the scale, form and location of new development within the Borough. Development management policies are intended to provide detailed development guidance and a framework for the assessment of detailed application proposals. As an outline application with all matters reserved (save for access) the application proposals are assessed here against the strategy policies of the plan.



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- 6.5 Policy SP2 identifies the scale of growth to be provided within the Borough over the plan period, as amounting to some 12,000 dwellings over the period 2013 – 2032. As a consequence of delay in the progress of the DLP the overall scale of residential development to be provided over the plan period remains to be finalised from the outcome from the examination process and the DLP period has been revised to 2013 - 2036. Notwithstanding that the precise scale of housing provision has yet to be determined that consideration has no implications for the development of the Application site.
- 6.6 Policy SP3 sets out the Borough's settlement hierarchy and identifies Cuffley as a Large excluded village as a settlement to act as a secondary focus for development below Welwyn Garden City and Hatfield. It characterises the settlement as:
- “excluded from (not in) the Green Belt with large service centres, but a more limited range of employment opportunities and services than the two towns. Shops and facilities mainly serve the community needs of these villages and those living in surrounding rural areas. Accessibility to the main road network is good and they are served by rail and/or bus networks. A secondary focus for new development where this is compatible with the scale and character of the village, and the maintenance of Green Belt boundaries.”*
- 6.7 Policy SP7 is concerned with the type and mix of housing and the provision of affordable housing. The application proposals will deliver a mix of housing types and affordable housing and accords with the objectives of this policy.
- 6.8 Policy SP9 - Place making and high quality design, is a criteria based policy that seeks to ensure that proposals delivers high quality development which has due regard to context and local character, addresses factors including legibility, permeability and connectivity, is safe and secure, provides high quality public space and space for nature and delivers good design. The illustrative Masterplan and DAS
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demonstrates that all such considerations will be addressed and satisfied on the Application site.

- 6.9 Policy SP10 is concerned with sustainable design and construction and requires that proposals should be supported by a Sustainable design statement to demonstrate how sustainable design and construction principles have been incorporated. These issues will be addressed at the Reserved Matters stage.
- 6.10 Policy SP11 is concerned with the protection and enhancement of critical environmental assets, including the Borough's environmental, ecological and heritage assets. As set out in Section 4 the supporting documents accompanying the application have demonstrated that the site can be sustainably developed as proposed in the Application in a manner which minimises any impact on any environmental, ecological and heritage asset whilst delivering environmental and bio diversity benefits.
- 6.11 Policy SP12 Strategic green infrastructure is concerned with protecting and enhancing green infrastructure across the Borough. The analysis set out in Section 4 demonstrates how the application proposals can enhance habitat within and on the boundaries of the site and enhance public access to green space and recreation areas, including the Hertfordshire Way.
- 6.12 Background studies undertaken by the Council (including an Open Space, Outdoor Sport and Recreation, June 2009; and the Sports Facility Study, March 2011) concluded there were quantitative deficiencies in amenity green space and provision for children and/or teenagers within Cuffley. The assessments found that all of the amenity green spaces are concentrated in northern Cuffley although residents to the south of the village were within walking distance of the KGV playing fields. The Application proposals have addressed these issues through the extension and enhance of the KGV playing field and associated amenity and green space enhancements as set out at para 5.14 above.



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- 6.13 Policy SP13 is concerned with Infrastructure delivery. The developer contributions required of the application have been the subject of discussion with the Borough and County Councils and agreed in principle, as set out in Section 8 below – S.106 heads of terms.
- 6.14 Policy SADM33 sets out site allocations for Cuffley and identifies the Application site as HS28 (Cuf6) - Land south of Northaw Road East, as a residential development site with an estimated capacity of 108 dwellings. Proposed Main Modification MM/23/TBC increases this capacity to 121 dwellings, to reflect the submission of the current application and the provision of more up to date relevant information. The plan notes that the site allocation is made in order to enable housing growth key to the delivery of the plan's growth strategy and in accordance with the growth and settlement strategy of the plan and Cuffley's position as a large excluded village and to provide for a scale of growth consistent with the settlement's position within the hierarchy.
- 6.15 The policy identifies a number of site specific considerations bearing on its development comprising:
- Opportunities to create nature conservation buffer with railway bank and southern wood boundary. Reptile survey may be required at planning application stage;
  - Overhead HV Power line (National Grid) will require an easement corridor either side;
  - Due to the potential for development in Cuffley to be subject to overland flow, a specific flood risk assessment of the site will be required at planning application stage and SuDS design would need to take account of topography of the area to manage over land flows;
  - Avoid and mitigate any potential impact on Northaw Great Wood and Wormley Hoddesdonpark Wood SSSIs; and
  - Mitigate noise pollution from the railway.



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6.16 With regard to these considerations:

- The ecological assessments prepared in support of the Application advise on the nature conservation approach to be adopted to the site margins and boundaries and the required reptile survey has been undertaken and confirms no reptiles present on the site;
- The Illustrative Masterplan demonstrates how the required HV easements will be provided;
- The Flood Risk Assessment addresses possible overland flows and an appropriate SuDS design;
- The ecological assessments confirm that no designated site will be impacted by the Application proposals; and
- The Noise Assessment demonstrates that noise from the railway line can be satisfactorily mitigated.

6.17 Given the above it is considered that the application proposals are consistent with the objective of the DLP and accord with its relevant policies and proposals.

### **The Neighbourhood Plan**

6.18 At its meeting on 7<sup>th</sup> October 2014, the Council's Cabinet resolved to adopt the Northaw and Cuffley Neighbourhood Plan Area. This enabled the Parish Council to commence the preparation of its Neighbourhood Plan.

6.19 During the preparation of the Application a number of meetings have been held with the Parish Council's Neighbourhood Planning Group and others to discuss the need for the provision of some new homes on greenfield sites adjoining Cuffley and the Application site's suitability and availability for residential development; all as expanded upon in the Statement of Community Involvement accompanying the Application.

6.20 In summary this has included:



- Meetings with Northaw and Cuffley Parish Council Planning Committee and Neighbourhood Plan Team, to discuss the Site in the context of the Neighbourhood Plan and associated Development Brief as well as the needs of and proposals for the KGV Playing Fields site;
- A meeting with officers at WHBC to discuss the appropriate consultation strategy;
- Setting up a dedicated website, free phone and email address;
- Two design workshops, including a guided tour of the site, for key local stakeholders which covered the following topics:
  - i. The Character of Cuffley and Local Services;
  - ii. Site Constraints and Opportunities;
  - iii. Access and Movement; and
  - iv. Leisure and Community Benefits.
- The workshops were followed by a drop-in Feedback Session;
- All residential and business addresses in Cuffley received an invitation to the public exhibitions which were held on 8th and 9th May 2015. In total, 182 people attended over the two days.
- The exhibitions were followed by a drop-in Feedback Session at which the Applicant's final Illustrative Masterplan was displayed and more details provided on the key issues of the proposed development. In total 212 people attended the session.
- Meetings have also been held with the KGV sports clubs and the residents of Greenfields.

6.21 Work on the preparation of the Neighbourhood Plan has not materially progressed pending the preparation of the DLP. However, the Parish Council does not object to the application and has stated that it had



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intended to include a development brief for the site in the Neighbourhood Plan. The application proposals are therefore consistent with the emerging Neighbourhood Plan strategy.



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## 7. PLANNING CONSIDERATIONS

7.1 This section assesses two elements of the Planning Considerations:

- i. The ‘Very Special Circumstances’ which apply in this instance and which clearly outweigh the potential harm to the Green Belt by reason of inappropriateness; and
- ii. The economic, social and environmental overarching objectives of sustainable development.

### Very Special Circumstances

7.2 As noted above (paragraph 6.2) in preparing the DLP the Council has come to the clear conclusion that in order to meet housing requirements Exceptional Circumstances exist to review the boundaries of the Green Belt.

7.3 As set out below (see paras 7.31 et seq.) it has recently been concluded by an Appeal Inspector that the shortfall in housing provision within the Borough is so acute that this factor alone constitutes Very Special Circumstances to allow residential development on suitable Green Belt sites.

7.4 This existence of Very Special Circumstances justifying the release of land from the Green Belt arising from the shortfall of housing provision is a conclusion endorsed by the LP Inspector who in his interim report of October 2020 stated (paragraph 45):

*“My preliminary conclusion is that exceptional circumstances exist for the release of sites from the GB, sufficient to meet the housing requirement. In principle the plan seeks to meet overall housing need in the right places through a logical and evidence based spatial strategy that promotes sustainable development patterns.”*



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- 7.5 As part of this process the Application Site has been identified as being suitable for exclusion from the Green Belt and to be allocated for residential development to provide the scale of housing proposed in the Application.
- 7.6 The Inspector went on to state that the housing need justification for the removal of sites from the Green Belt did not justify the release of specific individual sites: that justification would need to be based on a comparative assessment of all suitable and deliverable sites (Interim Report, para 49).
- 7.7 In their submissions to the DLP Stage 8 Hearing Sessions the Council confirmed that the allocation of the Application site (HS28 Cuf6) as a site to be excluded from the Green Belt and allocated for residential development had been made on the basis of the comparative assessment required by the Inspector.
- 7.8 It is not necessary here to repeat the detailed analysis undertaken by the Council and referred to in their submission as this is all documented as part of the public record. The Council's overall submission more than adequately confirms the position, wherein in response to the Inspector's Question: 206: Do Exceptional Circumstances exist to release this site from the Green Belt and if so (other than Welwyn Hatfield's housing need) what are they?, the Council responded:

*"Welwyn Hatfield Response*

- a) Yes, the Council consider that exceptional circumstances exist to release the site from the Green Belt;*
- b) This matter is addressed, in part, by the Council's Site Selection Background Paper (2016 – HOU20), which considered exceptional circumstances on a site-by-site borough wide basis;*



- c) *This Council's exceptional circumstances case, as set out in the Site Selection Background Paper, included consideration of the matters addressed by the Calverton Case:*
- 1. Acuteness of the OAN;*
  - 2. Constraints on supply and land availability;*
  - 3. The consequent difficulties in achieving sustainable development without imposing on the Green Belt;*
  - 4. The nature and extent of the harm to the Green Belt if boundaries are reviewed.*
- d) *The Council's updated Site Selection Background Paper (2019) updates and complements the Council's exceptional circumstances case and includes consideration of the fifth matter addressed by Calverton:*
- 5. The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonable extent*
- e) *This matter has been considered on a site-by-site basis as set out in the Site Templates (Appendix A of the Site Selection Background Paper (2019) HOUS20a) that takes into account the nature and extent of harm to the Green Belt;*
- f) *Developing the site in question will lead to "moderate" harm to the Green Belt with limited impact on separation and the formation of robust and defensible boundaries, thus enabling an important contribution towards the Borough's housing need at one of the most sustainable settlements in the Council area;*
- g) *The Council's updated Site Selection Background Paper (2019) also provides a summary of the consequences of not imposing on the Green Belt in Welwyn Hatfield Borough that contribute to the exceptional circumstances case for the plan as a whole, and that apply equally on a site-by-site basis. Whilst the proposal at the site in question is a smaller proposal, particularly in comparison to the larger and more strategic proposals, the contribution from smaller allocations is still an important part of meeting the borough's*





*housing need. The consequences of not imposing on the Green Belt would mean that the plan would fail to:*

- *“boost significantly the supply of housing” for existing and future generations for which an acute need exists;*
- *Plan for or meet the full OAN or the identified requirement for employment provision;*
- *Plan positively for economic growth, allowing for changes in the economy and businesses to remain, grow and locate in the borough;*
- *Ensure there is a balance between housing and employment planned for in order to deliver sustainable development;*
- *Adequately plan for and coordinate the delivery of infrastructure alongside growth (noting that smaller allocations still make a valuable and proportional contribution to local infrastructure);*
- *Support a sustainable pattern of development, consistent with the Spatial Strategy and Settlement Hierarchy (as advocated by the NPPF at Paragraph 84 [2012 Framework] where the Council’s proposed approach does:*
  - *Channel development first towards the urban area, particularly at the main town of Welwyn Garden City and Hatfield; and*
  - *Towards town and villages inset within the Green Belt, particularly the larger and most sustainable villages such as Welwyn and Welham Green.”*



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7.9 It is therefore the case that the Council, as the local planning authority, are wholly of the view that significant and substantial Very Special Circumstances exist to justify the release of the Application site from the Green Belt and allocate it for the scale of residential development proposed in the Application.

7.10 In addition to the view of the Council as set out above, it is considered there are additional Exceptional Circumstances over and above housing land supply that exist to justify the release of the Cuf6 site from the Green Belt these include:

1. The allocation in the draft Local Plan of the Cuf6 site for housing development, based upon the analysis of the extensive evidence base informing the Plan's preparation;
2. The Local Plan's growth and settlement strategy and identification of Cuffley as a large village with appropriate service provision, employment areas, primary school and good public transport facilities and as a suitable settlement to accommodate an element of future growth;
3. The Green Belt Study Stage 3 concluded that the release of the Cuf6 site would result in only moderate harm in Green Belt terms stating:

*"Moreover, release of Cuf6 would not extend the urban area of Cuffley further downslope to the south and therefore would not reduce the perceived separation between the Tier 1 settlements of Cheshunt to the east and Potters Bar to the south west. it is assumed that if the site were to be released the adjacent school site would also be released to create a well-defined Green Belt boundary along the railway line to the east ."*

(Green Belt Study, Appendix 6.1 Pg. 398)

4. The stated intention of the Parish Council to include a development brief for the site in the emerging Neighbourhood Plan;



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5. The significant contribution the site will make to the provision of affordable housing in Cuffley and the creation of a more mixed and balanced community;
  6. The allied benefits to be delivered as part of the proposed development of the site including:
    - the provision of additional land to enable the extension of the existing KGV playing fields;
    - improvement of the recreation use of the playing fields and enhancement of access to the countryside through improvements to Hertfordshire Way and the introduction of permissive paths around the adjacent land controlled by the applicants as site owners;
    - the provision of a safe and convenient pedestrian and cycle route across the Site linking the playing field and the primary school via South Drive; and
    - facilitating the implementation of the Parish Council's proposals as supported by the County Council for public realm improvements along Station Road.

7.11 This package of benefits is expanded upon below.

### **The Package of Benefits**

7.12 Lands Improvement has liaised closely with the Parish Council and local community about the needs of the area and the associated package of benefits. As a consequence, the Very Special Circumstances described below have arisen as a result of discussions with the local community and can therefore be genuinely described as



locally based. The issues and associated benefits raised by individual clubs and groups are set out in greater detail in the Statement of Community Involvement accompanying the Application.

### **The extension to the KGV playing fields**

- 7.13 Meetings have been held with the Head of the Primary School and the various sports clubs about the use of, and need for, sports facilities in the locality. Having done so, it is apparent that there is a need for further playing pitches in Cuffley.
- 7.14 The proposed development, including the change of use of an area of agricultural land to playing fields, will enable the extension of this important sports facility in accordance with saved Local Plan Policy OS2. This stipulates that in areas where there is a lack of playing pitch provision substantial new developments, in excess of 0.4 hectares, will be expected to contribute towards the provision of new facilities. The accompanying text at paragraph 10.5 states “The District Council will also take into account evidence of local demand, accessibility to all user groups and the provision of ‘all weather’ surfaces that have a greater capacity than traditional turfed pitches.”
- 7.15 The Applicant is in the unique position to facilitate the provision of an enlarged site for the KGV playing fields, as they own 0.63 hectares of land to the south west of the Playing Fields. It has been included within the Application in order that it can be delivered as a significant benefit to the local community as part of the overall proposals, and constitutes a further aspect part of the Very Special Circumstances, justifying the grant of planning permission in this instance.

### **Bus Stop Enhancement Improvement**

- 7.16 It has been agreed with the County Council as highway authority that a contribution will be made to enhance the two bus stop closest to the site.



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### Village Gateway Improvement

- 7.17 The Applicants are aware that local residents have previously sought to extend the 30 mph area on Northaw Road East to the south of the southern access into the playing fields. The Applicants are willing to consider whether there is scope to relocate the 30 mph speed limit at the appropriate time. In any event, there are other methods of influencing driver behaviour and thereby reducing speeds, as shown on the Vectos Drawing (141386/A/34) included as Appendix 3 to this Statement, which show alternative gateway features which could be employed in this instance and which would benefit all the local community and not just the residents of the new development. The proposal has been discussed with the highway authority and, subject to the County Council's agreement, could be financed from the Sustainable Transport contribution.

### Footpath Link to School

- 7.18 In order to provide a safe and convenient route to School and the centre of the village for those who currently walk from the playing fields' car park, it is proposed to provide a footpath and cycleway across the Site which will connect into the footpath at the end of South Drive. Not only will this be a safe and attractive route of real benefit for parents and children walking to school but it will also provide easier access to the sports facilities for existing residents.

### Permissive Footpaths on Adjoining Land

- 7.19 Lands Improvement own land to the south of the Application site which extends around the KGV playing fields. It is aware that there is currently an issue with dog walkers using the playing fields which causes health and safety concerns. In order to address this matter, Lands Improvement is willing and able to provide permissive footpaths around its field boundaries which in association with the provision of wider field margins would provide an attractive route for walkers, enabling an off road connection between the Hertfordshire Way either



side of Northaw Road East, all as shown on the Illustrative Masterplan included as Appendix 4 to this Statement.

- 7.20 In discussion with the Council's Leisure Services Manager, it has been suggested that added benefits of the permissive paths would be provided, if an Information Board was erected. This could set out the various routes available in the vicinity of the site, the distance involved and calories expended at different walking / running rates and be located at an appropriate point.

#### Improvements to Hertfordshire Way

- 7.21 This is a well used route for recreational walkers from the village and further afield. It is frequently very muddy and representations have been received that the western section would benefit from upgrading through the provision of appropriate surfacing. The footpath is within the Application site and Lands Improvement have advised that they would be willing and able to facilitate low key enhancements as part of the development.

#### Improvements to Station Road

- 7.22 Lands Improvement is aware that the Parish Council is seeking public realm enhancements to Station Road. Vectos, have considered the scope of these enhancements in liaison with the Parish Council's consultants and the highway authority. On the basis of the most recent discussions with the highway authority as set out in the Updated Transport Assessment (2021) it is proposed that the contribution to be made would cover work including:

- Two additional pedestrian crossings along Station Road;
- Speed reduction from the station all the way up the road to 20mph;
- Raised table crossings to assist pedestrians and discourage rat running;



- Carriageway resurfacing and meridian strip running through Station Road;
- Enhanced paved mini roundabout at railway station entrance; and
- Enhanced gateway feature.

7.23 The provision of these enhancements will be of significant benefit to the local community, the Applicant is willing and able to make a financial contribution to the cost of the works.

### The Primary 'Forest' School

7.24 Cuffley School has now secured 'Forest School' status. This enables a child led outdoor curriculum to be developed, firstly in the school's own grounds and then in a wider area. The Application Site is ideally positioned to make a positive contribution to the School's aspirations, as pupils would be able to access the Site's open spaces and wetland areas via the public footpath, to the benefit of not only their education but by encouraging healthier lifestyles.

### The Needs of the Elderly

7.25 By reference to census data, it is apparent that Northaw and Cuffley has the highest percentage of those aged over 65 anywhere in the Borough (and the lowest proportion of those under 35). This unbalanced population structure could cause future problems in terms of support for local services, such as the school, which would be partly rectified by the provision of additional family housing as well as accommodation suitable for smaller households (enabling the elderly to downsize thereby making available family sized accommodation in the existing stock). In this context, the proposed development would make a positive contribution to securing a more balanced age structure within Cuffley.

### Larger Sustainable Development



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- 7.26 In accordance with paragraph 11 of the Framework, all housing applications should be considered in the context of the presumption in favour of sustainable development, while paragraph 72 recognises that large number of new homes can often best be achieved through planning for larger scale development, such as significant extensions to existing villages.

### **Sustainable Development and Overarching Objectives**

- 7.27 The proposed development is regarded as sustainable development in contributing towards the three dimensions: economic, social and environmental, through:
- contributing to the economic growth of the area in providing housing for workers, creating construction jobs, generate income, expenditure and taxation, investing in local infrastructure and services, and generating additional spend within the local economy and shops and services. These economic considerations are of significant weight in the planning balance;
  - contributing to the social needs of the village through significantly boosting the supply of housing, improving the choice and mix of housing, providing much needed affordable housing for the village, and making financial contributions towards social and community infrastructure where necessary. The provision of such housing and associated developer contributions are also of significant weight in the planning balance; and,
  - contributing to the environment through providing a development of high quality design that adds to the character of the village and its setting within the wider landscape, which makes effective use of land, makes prudent use of resources with high standards of energy efficiency, well connected to the





village's facilities, with areas of landscaping and open space enhancing biodiversity and the appearance of the village. These environmental considerations should also be accorded significant weight in the planning balance,

### Conclusions on Very Special Circumstances

7.28 It is accepted that an unmet need for housing will not necessarily in itself represent Very Special Circumstances justifying development in the Green Belt, though where housing need is acute Very Special Circumstances will exist (see para 7.31 below).

7.29 However, for the reason set out in detail above, Very Special Circumstances do not relate to the single issue of housing in the current instance, but fall to be considered in relation to the much wider set of circumstances bearing on the determination of the current Application, which in summary include:

- firstly, the exceptional circumstances which the Council acknowledges justify a review of the Green Belt, not just within the Borough, but around sustainable settlements such as Cuffley, in order to meet the essential development needs of the Borough: a conclusion fully supported by the Local Plan Inspector;
- secondly, the decision reached by the Council, following a comprehensive and exhaustive, comparative site-by-site assessment, of all relevant considerations, to exclude the Application site from the Green Belt and allocate it for residential development of the scale proposed in the Application;
- finally, that the Application has been informed by the numerous and detailed discussions held with the local



community and reflects its aspiration to secure various benefits in conjunction with the requisite new homes.

- 7.30 The development of the Site will help to secure a more sustainable village which meets the local community's needs for environmental, social and economic benefits, including housing.
- 7.31 Finally, it is considered that the conclusion that Very Special Circumstances exist to justify the grant of planning permission for the Application proposals, is wholly supported by the very recent appeal decision of 14 June 2021, in respect of land within the Green Belt at Colney Heath, partly within the Borough and partly within the adjacent district of St. Albans (Ref: APP/C1950/W/20/3265926). That appeal related to residential development of up to 100 dwellings, to include 45% affordable and 10% self-build homes.
- 7.32 In the appeal it was common ground between the parties that the proposals would represent inappropriate development within the Green Belt which attracted substantial weight against the proposals (Inspector's Report – IR – para 10). Against that context the Inspector identified the main issues as being:
- The effect of the proposal on the character and appearance of the area;
  - The effect of the proposal on the openness of the Green Belt and the purses of including land within it;
  - The effect of the proposed development on the setting of nearby listed buildings;
  - Whether the site is in an acceptable location with regard to local services and facilities; and
  - Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development



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7.33 With regard to these main issues the Inspector found that:

- The proposals would cause limited harm to the character and appearance of the area (IR, para 18);
- The proposals would result in a considerable reduction in the openness of the site which carried substantial weight against the proposal (IR, para 23);
- As an edge of settlement site adjacent to the existing urban edge, the proposal would have only a localised effect in terms of safeguarding the countryside from encroachment, and affect the broad thrust of, function and purpose of the Green Belt in the location of the appeal site would remain (IR, para 26);
- There was no evidence that the appeal proposals would disincentivise the urban regeneration of sites elsewhere and there would therefore be no conflict with the Green Belt purpose of encouraging regeneration (IR, para 27);
- The proposals would not result in any harm to the setting or significance of any heritage asset (IR, para 36);
- Taking account of the essence of the Framework, the proposals represented a sustainable location for new residential development (IR, para 41);

7.34 With regard to whether or not Very Special Circumstances existed the Inspector found that:

- With regard to open market housing the failure of both Councils to be able to demonstrate – by a significant margin - a five year supply of deliverable was a “bleak position” and the shortfall in supply was considerable and significant (IR, para 48);
- There was no evidence to suggest that this position would markedly improve in the short to medium term (IR, para 49)
- Substantial weight was accorded to the provision of market housing which would make a very positive contribution to supply in both local authority areas (IR, para 49)



- Evidence demonstrated that the statutory duty to provide for self-build housing was not being met (IR, para 51);
- Substantia weight should be attached to the provision of 10 self build plots (IR, para 52);
- The persistent under delivery of affordable housing presented a critical situation (IR, para 54); and
- Very substantia weight should be attached to the delivery of 45 affordable homes, taking account of the acute affordability position (IR, para 54)

7.35 Having regard to all these considerations the Inspector's overall conclusion was that:

*"The proposals would cause harm by reason of inappropriateness and harm to openness. Both of these attract substantial weight. I have also attached moderate weight to harm to the character and appearance of the area. However, these appeals involve two local authority areas, both of which have acute housing delivery shortages and acute affordable housing need. The proposal would make a contribution to addressing these needs in the form of market, self build and affordable housing in both WHBC and SADC. I have attached very substantial weight to the provision of both market housing and affordable housing. I have attached substantial weight to the provision of self build housing. These factors, when considered collectively demonstrate that very special circumstances do exist.*

*I conclude that in the case of these appeals, I find that the other considerations in this case clearly outweigh the harm that I have identified. Looking at the case as a whole, very special circumstances do exist to justify inappropriate development in the Green Belt. My findings on the other matters before me do not lead me to a different conclusion. As a result I therefore conclude that the proposals would comply with both the Framework and the development plans taken as a whole. For*



*the reasons given above, and having considered all other matters raised, the appeals are allowed (PR, paras 78-79)."*

7.36 Applying such an evaluation to the Application proposals it is evidently the case that:

- Both the Council and the DLP Inspector have already concluded that Very Special Circumstances exist to exclude the Application site from the Green Belt;
- The background studies undertaken as part of the DLP have found that the development of the Application site as proposed would not result in any material harm to the character and appearance of the area;
- Like the Colney Heath appeal site, as an edge of settlement site adjacent to the existing urban area, the removal of the Application site from the Green Belt would have only a localised effect and not compromise the broad thrust, function and purpose of the Green Belt in this part of the Borough;
- As with the appeal site there are no highway, heritage, ecological, environmental or any other technical reason weighing against the grant of permission for the Application proposals; and
- The conclusion of the Inspector that, in the context of the bleak and chronic under provision of market housing and affordable housing, the appeal proposals would significantly boost the supply of housing such as to demonstrate that Very Special Circumstances exist are equally applicable to the Application proposals.

7.37 It is therefore concluded therefore that there are no adverse impacts arising from the proposed development which outweigh the benefits provided in terms of the delivery of much needed market and affordable homes, the delivery of sustainable drainage, new and improved footpath links, and wider economic benefits when assessed



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against the policies of the Framework. Accordingly, the 'Very Special Circumstances which exist in this instance should be recognised and planning permission granted in accordance with national planning policy and the adopted and emerging Local Plan.

- 7.38 It is further concluded that the Very Special Circumstances arising from the acute problems of housing under supply generally; affordability; and the acute under supply of affordable housing identified by the appeal Inspector, as well as the other factors identified including the advanced stage of preparation of the DLP and the conclusions of the DLP inspector in his Interim Report, means that there is no development plan or any other justification, in not reporting the Application to Committee at the earliest opportunity, with a clear recommendation that permission should be granted.



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## **8. DRAFT HEADS OF TERMS AND HOUSING STATEMENT**

8.1 The Applicant is willing to enter into an agreement(s) with the Borough and County Councils to provide (unless the matter can be dealt with by condition):

- i. 30% of the proposed new dwellings as affordable homes which on the basis of a total of 121 is equivalent to 36 dwellings. The affordable housing provision has been discussed with the Council's Housing Officer, and having done so it has been agreed that equal proportions of shared ownership / intermediate properties and dwellings for affordable rent would be provided;
- ii. any necessary off-site highway works (under Section 278 of the Highways Act) including a financial contribution towards the provision of a Village Gateway Improvement;
- iii. the provision of additional land for the KGV playing fields;
- iv. a financial contribution towards the enhancement of existing sports facilities at the KGV playing fields;
- v. contributions towards the enhancement of existing open spaces and play facilities for the village together with a contribution towards the maintenance of any enhancements to open space (in lieu of on-site provision);
- vi. subject to confirmation of need, any necessary contributions towards the improvement of local services;
- vii. subject to confirmation of need, any necessary financial contributions towards improvements to schools that serve the area in which the proposal is located in line with local policy;
- viii. the upgrading of the Hertfordshire Way through the Application site in an appropriate manner;



- ix. the provision of permissive footpaths around the land to the south; and
- x. any other reasonable and directly related requirements as may be shown to be necessary based on detailed evidence of need in line with local policy.

8.2 Insofar as the need for additional school places is concerned, the Applicant is aware of the local concerns that there is insufficient capacity within Cuffley's primary school to accommodate the needs arising from the development. In order to have a detailed understanding of the need and demand for primary school places in the local area, the Applicant sought advice from EFM Ltd; their report being included as Appendix 5 to this Statement. It considered:

- The birth rate amongst the current population in Cuffley and the scope for these pupils to be allocated spaces at the School;
- The propensity of pupils living outside Cuffley to go to school in the village thereby filling the school;
- The scope for some Schools within the Goffs Oak area (where many of Cuffley's pupils live) to expand; and,
- The number of pupils who can be expected to move with their families into the new houses during the time they are being built.

8.3 The issue highlighted in this report is not just the number of pupils from Cuffley who either currently attend the School or can be expected to do so in the future but the number of pupils who live outside the village and who travel, predominantly by car, to the School. To redress the displacement of those pupils from outside the village who would otherwise expect to attend the School, a financial contribution will be made towards the provision of additional School places either in Goffs Oak or elsewhere; a contribution which as indicated above the Applicant is willing to make.





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- 8.4 This agreement is subject to any obligation being demonstrated to meet the tests as set out at paragraph 56 of the Framework, and taking into consideration the viability and costs associated with the development in accordance with paragraph 57 of the Framework.



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## 9. CONCLUSION

9.1 The proposals for up to 121 dwellings, associated infrastructure and extension to the adjacent playing fields have been formulated taking full account of the current Green Belt status of the application site and the need to show that Very Special Circumstances for permitting the development exist in this instance, as required by national policy.

9.2 In so doing, it has been acknowledged that the need for up to 121 dwellings (of which 30% will be affordable homes) does not in itself constitute the Very Special Circumstances justifying development in the Green Belt. However, Very Special Circumstances do not relate to the single issue of housing but need to be considered in relation to the much wider set of circumstances which exist in this instance. In summary these include:

- firstly, the exceptional circumstances which the Borough Council acknowledges justify a review of the Green Belt not just within the Borough but around sustainable settlements such as Cuffley; and
- the decision of the Council in preparing the DLP to propose to release the application site from the Green Belt and allocate it for the scale of development proposed in the Application;
- the Application has been informed by the numerous and detailed discussions held with the local community and reflects its aspiration to secure various benefits in conjunction with the requisite new homes which can be summarised as follows:
  - i. the provision of additional land for the KGV playing fields;
  - ii. a financial contribution towards the alterations to the vehicular access into the northern car park of the KGV playing fields;



- iii. a financial contribution towards the enhancement of sports facilities at the KGV playing fields;
- iv. contributions towards the enhancement of existing open spaces and play facilities for the village together with a contribution towards the maintenance of any enhancements to open space (in lieu of in-site provision);
- v. any necessary contributions towards the improvement of local services;
- vi. the upgrading of the Hertfordshire Way in an appropriate manner;
- vii. the provision of permissive footpaths around the land to the south;
- viii. any necessary off-site highway works, including the provision of a gateway feature on Northaw Road East; and
- ix. other necessary contributions, financial or otherwise, towards the improvement of local services and facilities.

9.3 It is concluded therefore that there are no adverse impacts arising from the proposed development which outweigh the benefits provided in terms of the delivery of much needed market and affordable homes, the delivery of sustainable drainage, new and improved footpath links, and wider economic benefits when assessed against the policies of the Framework. Accordingly, the 'Very Special Circumstances' which exist in this instance should be recognised and planning permission granted in accordance with national planning policy and the DLP. Notwithstanding the above, however, it is also the case that in this instance, the bleak and chronic under provision of market housing and affordable housing in the Borough in itself, constitutes Very Special Circumstances to justify the grant of planning permission.



- 
- 9.4            This conclusion is reinforced by the recent appeal decision at Colney Heath where the acuteness of local housing need within the Borough constituted the Very Special Circumstances to justify the grant of planning permission for residential development on land within the Green Belt.

## APPENDIX 1

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LETTER 18 DECEMBER 2014 FROM MARRONS  
PLANNING REQUESTING A SCREENING OPINION

This matter is being dealt with by  
Matt Smith

1 Meridian South, Meridian Business Park,  
Leicester, LE19 1WY  
DX 710910 Leicester Meridian  
T +44 (0) 0116 366 8000

Conor Guilfoyle  
Welwyn Hatfield Borough Council  
The Campus  
Welwyn Garden City  
Hertfordshire  
AL8 6AE

Our ref: MS.902930.2

18 December 2014

Dear Mr Guilfoyle

**REQUEST FOR A SCREENING OPINION: LAND TO THE NORTH EAST AND SOUTH  
WEST OF KING GEORGE V PLAYING FIELDS, CUFFLEY**

I refer to the above site which is being proposed for development. This is a greenfield site located within the Green Belt to the south of Cuffley. Lands Improvement, who own the site, propose to submit an outline application for residential development on this land.

Under the Town and Country Planning (Environmental Impact Assessments) (England and Wales) Regulations 2011, the development would fall within Schedule 2 (10b) where an Environmental Impact Assessment may be required. The relevant test is set out in Regulation 2 where EIA development is defined as:

*"Development likely to have significant effects on the environment by virtue of factors such as its nature, size or location".*

It is our opinion that there are no significant effects on the environment as a result of the proposed development.

This letter, therefore, specifically requests a screening opinion from Welwyn Hatfield Borough Council under Regulation 5 of the 2011 Regulations. In accordance with the regulations, this letter encloses the following information:

- 1) A plan identifying the land;
- 2) A brief description of the nature and purpose of the development and its possible effects on the environment; and,
- 3) Other relevant Information.

**The Development**

The development proposed consists of the erection of up to 130 dwellings associated infrastructure and an artificial turf pitch with associated lighting. All matters reserved except for new vehicular and pedestrian accesses to serve the site and existing playing fields, the provision of a surface water discharge point and the levels of the development platforms.

## **Potential Effects**

The potential effects on the environment have been considered as part of undertaking work on the following topic areas:

- Design and Access Statement – Urban Design and Masterplanning;
- Transport Assessment – Transport, Traffic and Sustainability;
- Archaeological Assessment – Cultural Heritage and Archaeology;
- Geo-Environmental Assessment – Land Stability;
- Flood Risk Assessment and Drainage Strategy – Flooding and Drainage;
- Ecological Assessment – Ecology and Protected Species;
- Landscape and Visual Assessment – Landscape and Visual Issues;
- Noise Assessment – Noise;
- Air Quality Assessment – Air Quality;
- Lighting Assessment – Lighting; and
- Tree Survey – Trees.

Taking each topic area in turn the following points are made.

### **1. Urban Design and Masterplanning**

The effect of the development of the site in respect of these issues has been carefully considered and evaluated as part of the scheme proposals. The proposals fully address all relevant urban design guidance and advice set out in national and Development Plan policy. As a result, the development will provide a high quality, well designed scheme in an attractive environment to live and work.

These matters, along with the proposals' relationship with existing developments, are fully detailed in the Design and Access Statement and the Illustrative Masterplan that will accompany the planning application. The proposal would not result in any significant effects sufficient to require an Environmental Impact Assessment.

### **2. Transport, Traffic and Sustainability**

The proposal to develop up to 130 dwellings would result in an increase in the number of vehicles utilising the surrounding road network. This is considered within the Transport Assessment that will accompany the application. It is not considered the proposal would result in any significant effects sufficient to require an Environmental Impact Assessment. The content of the Transport Assessment has been scoped with the Highway Authority and appropriate mitigation measures have been agreed.

### **4. Cultural Heritage and Archaeology**

A desk top study in respect of cultural heritage and archaeology has been undertaken and will form part of the suite of documents accompanying the planning application, alongside a detailed Geo-physical Survey of the site which has not identified any features of significant archaeological interest. It is considered that the

proposals would not result in any significant heritage or archaeological effects sufficient to require an Environmental Impact Assessment.

## **5. Land Stability**

The effect of the development of the site in respect of land stability has been investigated and ground investigation surveys have been undertaken; the results of which will accompany the planning application. The surveys demonstrate that the site is underlain by bedrock geology comprising clay, silt and sand belonging to the London Clay Formation. In view of this, it is considered the proposal will not result in any effects sufficient to require an Environmental Impact Assessment.

## **6. Flood Risk and Drainage**

The hydrological impact of the proposed development is considered through the Flood Risk Assessment which will accompany the planning application. The drainage and other infrastructure requirements of the development can be provided to ensure that there is no increase in impact due to the proposed development. Given the site is located within Flood Zone 1, the development's impact in respect of infrastructure and flood risk would not result in any significant effects, sufficient to require an Environmental Impact Assessment.

## **7. Ecology**

An Ecological Assessment has been undertaken as part of the planning application to demonstrate that the proposals do not have a substantial impact upon the ecological nature of the site. In addition to the Ecological Assessment, a number of Protected Species Surveys have also been carried out; these have also not identified any significant ecological issues which would require an Environmental Impact Assessment to be undertaken.

## **8. Landscape and Visual Issues**

A detailed Landscape and Visual Assessment has been undertaken as part of preparing the planning application. This has considered the impact of the site on the landscape and its location within the Green Belt. This assessment demonstrates that due to the site's location and containment within the wider landscape, its development would have a limited visual impact. In this context, there are no significant impacts which would require an Environmental Impact Assessment.

## **9. Noise**

The submitted planning application will be accompanied by a Noise Assessment which has been fully scoped with the Council's Environmental Health Department. This Assessment has considered the impact existing noise sources will have on the proposed development and the impact the development will have on existing noise receptors. This includes an assessment into the noise levels generated by the proposed artificial turf pitch and the existing railway line to the east of the site. The findings of this assessment demonstrate that there are no significant noise issues resulting from the development which will require an Environmental Impact Assessment.



## **10. Air Quality**

The effect of the development of the site in respect of air quality has been investigated, taking account of all relevant receptors surrounding the site. The results of the assessment will accompany the planning application. It is considered the proposal will not result in any effects sufficient to require an Environmental Impact Assessment.

## **11. Lighting Assessment**

The proposed development includes the provision of an artificial turf pitch which will require lighting. A Lighting Assessment has been prepared which demonstrates that there are no significant issues arising from the development which will require an Environmental Impact Assessment.

## **12. Tree Survey**

The submitted planning application will be accompanied by a Tree Survey which considers the impact of the development on the existing trees surrounding the site. The proposed development seeks to retain as much of the existing vegetation as possible. As will be demonstrated on the Illustrative Masterplan, the development will provide areas of new tree planting and vegetation which enhance the existing provision around the site boundaries. In this context, there are no significant impacts which would require an Environmental Impact Assessment.

In respect of the application to be submitted, it is therefore considered that whilst there may be an increase in impact on the environment due to the nature of the development, this would not be "*significant*" or sufficient to require an Environmental Impact Assessment.

## **Conclusion**

The main impacts of the proposed development are addressed through the supporting information to be submitted with the application. It is therefore considered that, since the result of any increased impact is not significant, there is no need for an Environmental Impact Assessment to be provided in respect of any planning application for residential development on this site.

The proposed development is of no more than local importance, is not in an environmentally sensitive or vulnerable location, nor is it unusually complex or potentially hazardous (in terms of environmental effect).

In conclusion, it is requested that you accept this letter as a formal request for a screening opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011.

Please will you advise me as soon as possible if there is any further information that you need to order to consider this formal request.

Yours sincerely

**Matt Smith**

Direct Line: 0116 281 696952

E: [matt.smith@marrons-planning.co.uk](mailto:matt.smith@marrons-planning.co.uk)

## APPENDIX 2

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SCREENING OPINION 16 JANUARY 2015 FROM  
WELWYN HATFIELD BOROUGH COUNCIL



Reply To: address as below  
Our Ref: S6/2013/2638/PA  
Direct Tel: 01707 357517  
Fax: 01707 357255  
Email:  
c.guilfoyle@welhat.gov.uk

16 January 2015

Mr Matt Smith  
Marrons Planning  
1 Meridian South  
Meridian Business Park  
Leicester  
LE19 1WY

Dear Mr Smith

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENTS)  
(ENGLAND AND WALES) REGULATIONS 2011  
SITE AT THE NORTH-EAST AND SOUTH-WEST OF KING GEORGE V PLAYING FIELDS,  
CUFFLEY**

I am writing with regards to your screening request dated 18 December 2014, received by the Local Planning Authority on 19 December 2014, in relation to the above site.

I note that the development is not contained within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 ('the Regulations'). However, the development does fall within paragraph 10(b) of Schedule 2 of the Regulations, being an urban development project, the area of which exceeds 0.5ha. The development may therefore constitute 'EIA development' in accordance with the definition set out in the Regulations if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

Your letter states that the proposal will comprise the following elements:

- Up to 130 dwellings, associated infrastructure and an artificial turf pitch with associated lighting - all matters are to be reserved except for new vehicular and pedestrian accesses to serve the site and existing playing fields, the provision of a surface water discharge point and the levels of the development platforms.

For the purposes of assessing whether the proposal requires an Environmental Impact Assessment the Council agrees with the conclusions set out in your letter in points numbered 1-12 in relation to the consideration of the likely environmental impacts of the proposal. Accordingly, the development would not give rise to significant effects on the environment, and I adopt an opinion, on behalf of the Council, that the development is not EIA development in accordance with the definition set out in the Regulations and would not require an Environmental Impact Assessment.

In addition to the work undertaken on the twelve topic areas raised in your letter where you state the potential effects on the environment have been considered, I also suggest that you consider

the impacts of how the development would connect to the wider utilities networks. For example impacts on electricity, gas, water and sewerage networks and associated infrastructure impacts or requirements.

For the avoidance of doubt this opinion should not be construed as the Council's agreement with any statements relating to aspects of the proposal that also fall to be considered as part of the formal planning application process. For example, in point number 1 where it is stated that *"the proposals fully address all relevant urban design guidance and advice set out in national and Development Plan policy"*. Clearly this is also a matter which will need to be considered in the normal manner in the context of the Development Plan as part of the determination of any future planning application.

I would also like to point out that we reserve the right to consider the impacts of other issues which may arise during the pre-application stages or upon receipt of an application.

Yours sincerely,

Colin Haigh ✓  
Head of Planning

## APPENDIX 3

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VECTOS DRAWING NO: 141386/A/34 DATED 12 MAY 2015:  
'VILLAGE GATEWAY IMPROVEMENT'

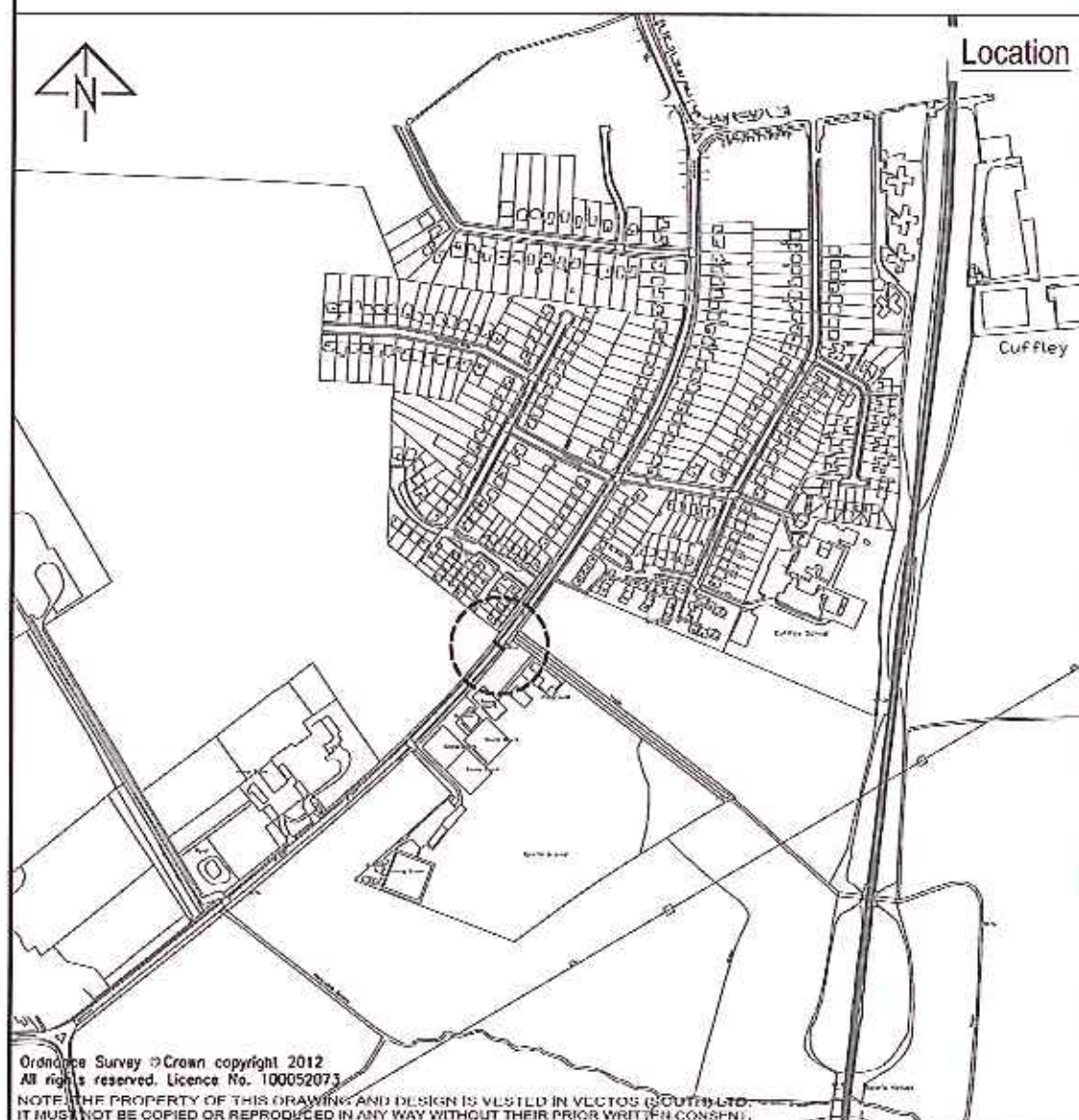




Existing



Proposed



Example



Alternative Example



Notes:

1. This is not a construction drawing and is intended for illustrative purposes only.
2. White lining is indicative only.

REV.	DETAILS	DRAWN	CHECKED	DATE

CLIENT:  
Lands Improvement Holdings  
Limited

PROJECT:  
Cuffley

DRAWING TITLE:  
Village Gateway Improvement

SCALE:  
NTS at A3

DRAWN	JM	CHECKED	ID	DATE	12/05/2015
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Network Building, 97 Tottenham Court Road, London W1T 4TP  
t: 020 7580 7373 e: enquiries@vectos.co.uk

DRAWING NUMBER:  
141386/A/34

REVISION:  
-



## APPENDIX 4

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### ILLUSTRATIVE MASTERPLAN





Lands Improvement

OMEGA

PARTNERSHIP

Omega Partnership is a local, Architects and Urban Designers  
800000 Route 33, Common Road, Claydon, Surrey, KT10 0ND  
T: 02032 470 313 W: www.omegapartnership.co.uk

LANDS IMPROVEMENT

LAND TO THE NORTH EAST OF  
KGV PLAYING FIELDS, CUFFLEY

ILLUSTRATIVE MASTERPLAN

1:500@A1

MAY 2015

PLANNING

2271-C-1005-B





## APPENDIX 5

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### EFM EDUCATION REPORT

# Briefing Note

Land East of Northaw Road  
Cuffley

## Lands Improvement Holding

Ver 4 (22/06/15)

**STEPHEN CLYNE**  
**LCP (Dip SMS) Cert Ed MAE**



## Introduction

1.1 The proposal is for a development of 121 dwellings on land to the east of Northaw Road, Cuffley.

1.2 The proposed development lies within Northaw and Cuffley Ward ("The Ward") and the area of Welwyn Hatfield Borough Council ("planning authority"). The education authority (Children's Services Authority) is Hertfordshire County Council ("HCC")



Map 1

## Dwellings

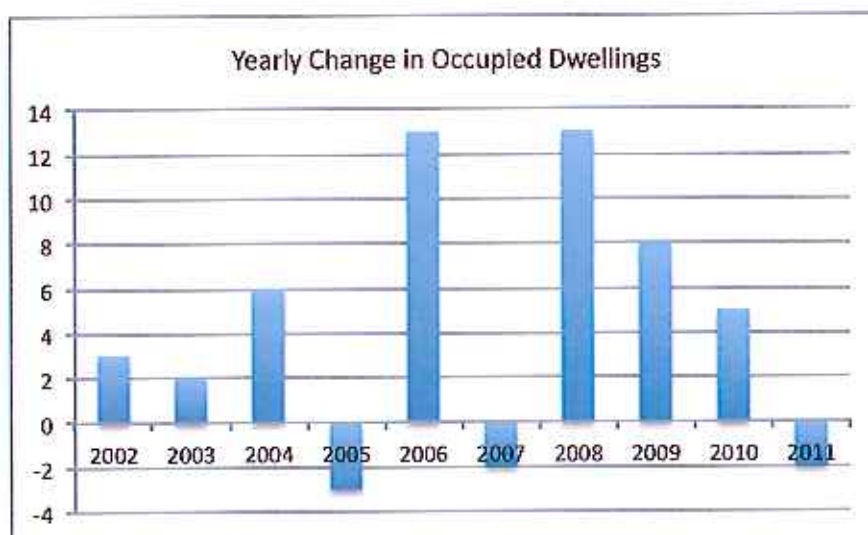
2.1 The ward at the end of 2011 consisted of 2,209 occupied dwellings. There has been an increase of 43 occupied dwellings in the ward over the 11-year period<sup>1</sup> shown below. (A 1.98% increase)

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Dwellings	2166	2169	2171	2177	2174	2187	2185	2198	2206	2211	2209
Change		3	2	6	-3	13	-2	13	8	5	-2

Table 1: Dwelling numbers

2.2 The 2011 census gives the total number of dwellings, occupied or not, as 6,011 suggesting a 99.7% occupancy rate. This occupancy rate is very high.

2.3 Development over the last decade has not been regular. (Graph 1)



Graph 1<sup>2</sup>

<sup>1</sup> Council Tax Returns published by ONS from VOA data

<sup>2</sup> The negative figures for 2005 and 2007 represent an increase in empty properties

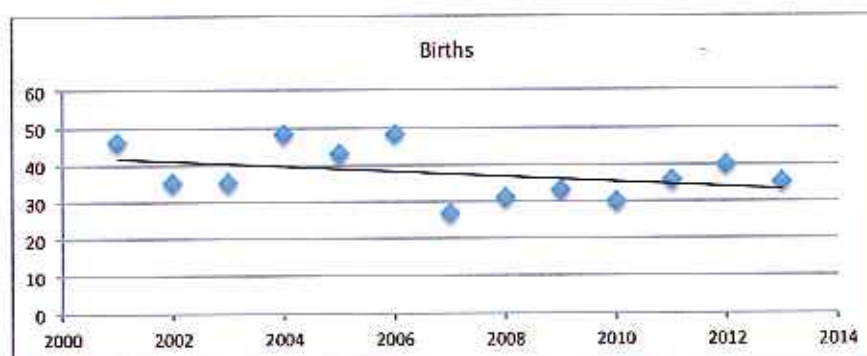
## Births

3.1 There has been an average of 38 births per year within the ward during the 13 years shown below. Births peaked in 2004 and 2006 at 48.

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Births	46	35	35	48	43	48	27	31	33	30	36	40	35

Table 2: Birth numbers

3.2 Beneath is a graph charting the births within the ward over the 12-year period. Despite the slight rise in dwelling numbers there is a clear trend of falling births within the ward.



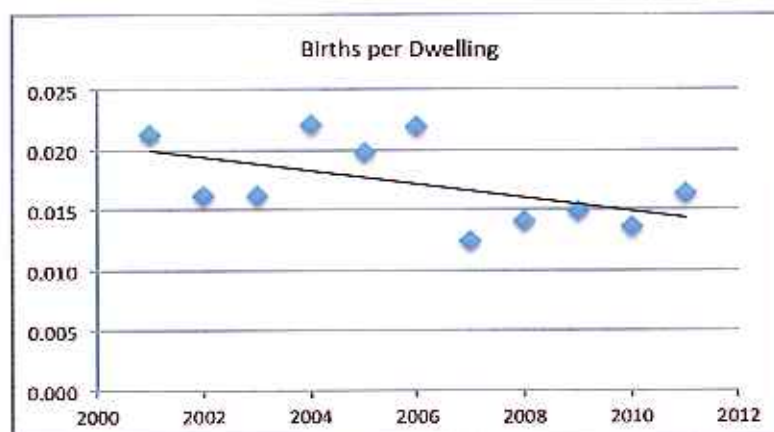
Graph 2: Births

3.3 The number of births relative to the number of dwellings has fallen over the 11 years shown below.

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Birth/dw	0.021	0.016	0.016	0.022	0.020	0.022	0.012	0.014	0.015	0.014	0.016

Table 3 Births per dwelling





Graph 3: Births per Dwelling

## Age

4.1 The median age in the ward has risen by 1.17 years in over the 12 years shown below. Over the same period the national average has risen by two years to 39.9 years. The median age within the ward is 3.93 years above the national average.

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
MedianAge	42.66	42.81	42.87	43.02	43.14	43.19	43.33	43.39	43.56	43.62	43.74	43.83

Table 4: Median age

4.2 There looks to be some outward migration of households with children aged 0-4 (between birth and attendance at primary school) but it is not possible at this stage to be certain as to the cause and whether it is a shortage of suitable family dwellings or not.

4.2.1 Whilst the number of births averages 38 per annum, the number of children on roll at the two primary schools that live in the ward at 170 children (census 2011) is just 64% of the total births in the corresponding period. The numbers of pupils at the primary schools (525) that start at a Cuffley primary school move out of the ward but stay at the primary school is unknown (see 6.3 below).

## Schools

5.1 In our assessment, we have taken into account all Primary schools within a 2-mile walking distance<sup>3</sup>, and Secondary schools that lie within a 3-mile walking distance of the development. The 2 and 3 mile<sup>4</sup> criteria are the distances prescribed beyond which local authorities are required to fund transport where the nearest available school is further away.

5.2 The authority is required to calculate how many pupils are currently on roll in its primary schools and how many are forecast to be on roll each year till 2018/19 in the School Capacity ("SCAP") returns. (For secondary the forecast runs to 2020/21). The SCAP is a DfE template, which each authority fills out with the previous January's school census (taken as being their current school roll). To complete the SCAP return – they enter into the blank column their forecast for each year, net of any additional children covered by S106 agreements. (S106/CIL covered pupils are entered separately). This is how Government allocates its funding for any necessary additional school places that are its responsibility to provide.

## Primary Schools

6.1 There are 4 schools in the local planning area: Goffs Oak Ridgeway South. The January 2014 school rolls show the local primary schools to be considered full for planning purposes.

School name	Postcode	Distance	Status	Capacity	Roll	Admission Number	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Cuffley School	EN8 4HR	0.4	Foundation	420	413	60	60	60	59	60	60	55	59
Woodside Primary School	EN7 5JS	1.4	Community School	210	208	30	28	30	30	30	25	30	30
Northaw Church of England Primary	EN6 4PB	1.6	Voluntary Aided	105	92	15	9	16	12	14	13	16	12
Goffs Oak Primary & Nursery School	EN7 5HS	1.6	Community School	210	205	30	30	30	30	30	30	26	29
<b>Total</b>				<b>945</b>	<b>913</b>	<b>135</b>	<b>127</b>	<b>136</b>	<b>131</b>	<b>131</b>	<b>128</b>	<b>127</b>	<b>130</b>
<b>Occupancy (%)</b>					<b>96.61</b>		<b>94.07</b>	<b>100.74</b>	<b>97.04</b>	<b>99.26</b>	<b>94.81</b>	<b>94.07</b>	<b>96.30</b>

Table 5: Primary Schools

6.2 The forecast anticipates the numbers enrolling age 4 (Reception Class) to rise from the current 136 (2013/14 actual) to 139 (forecast 2014/15 – actual)

<sup>3</sup> Distances have been calculated based upon the nearest available postcode to the site (as provided). Once the development is built, some parts of the site may be further/closer than shown.

numbers will be available mid-June) and then fall year on year to 100 (2017/18) and rise to 101 in 2018/19. This excludes any impact from new dwellings where additional places are covered by s106 agreements.

6.3 A Freedom of Information request to HCC about out-of-area pupils at Northaw and Cuffley Primary Schools revealed that Northaw Primary School has 92 pupils of which, just 38 live in the Northaw and Cuffley area. Cuffley Primary School has just 251 of its 413 pupils living in the area. Northaw Primary School has 4 pupils with a Goffs Oak home postcode and Cuffley Primary School has 81 with a Goffs Oak home postcode. Of the out of area pupils, Northaw Primary School has 63 pupils who live somewhere other than the Northaw and Cuffley area or the Goffs Oak area. On the same criteria Cuffley Primary School has 88 pupils who live somewhere other than Northaw, Cuffley or Goffs Oak.

6.3.1 A disproportionate number of pupils at the two primary schools live in other areas with their own primary schools. At the last published count (January 2012) 414 of the 556 pupils (75%) travelled to and from the two schools by car.

## Secondary Schools

7.1 The development is located broadly equidistant from Mount Grace School and Goffs School.

7.2 As at January 2014, there was some spare capacity at Mount Grace School. Goffs School should be considered full.

School name	Postcode	Distance	Status	Capacity	Nor	Admission Number	Year 7	Year 8	Year 9	Year 10	Year 11	Post 16
Mount Grace School	EN6 1EZ	2.8	Academy Converter	870	761	174	108	162	156	168	167	169
Goffs School	EN7 5G/W	2.8	Academy Converter	1050	1038	210	210	210	210	201	207	217
Total				1920	1799	384	318	372	366	369	374	386
Occupancy (%)					93.70		87.81	95.88	95.31	96.09	97.40	

Table 6: Secondary Schools

7.3 For planning purposes the two schools are in different planning areas.

7.3.1 For the SCAP return the HCC places Mount Grace School in the "Potters Bar Secondary" planning area. This area is forecast to see on roll year 7 pupils to rise from the current 522 (2013/14) to 543 (2015/16) and rise further to 571 in 2017/18 and 581 in 2020/21.



- 7.3.2 Goff's School is in the Cheshunt secondary planning area. HCC forecasts that Cheshunt is going to see a rise of 61 year 7 pupils by 2019/20 and 77 a year later. These numbers exclude the impact of consented planning permissions for which s106 agreements are in place.

## Adding Places to Primary Schools

8.1 As a part of our analysis we have looked at the space the schools in Goff's Oak have for expansion. If there were potential for them to expand, they could do so, to accommodate the pupils who currently travel to Cuffley and Northaw schools from Goff's Oak and would be displaced by pupils who arise from this development.

School	Current Capacity	Necessary Site Area	Actual Site Area
Andrews Lane	1	1.2ha	2.14
Flamstead End	2	2.2ha	1.43
Bonneygrove	2	2.2ha	2.64
St Paul's	1	1.2ha	0.75
Fairfields	2	2.2ha	2.24
Goffs Oak	1	1.2ha	1.27

Table 7: Area of Land – Goff's Oak Schools

8.2 The site area estimates are based on a transposition of land registry plans, on to Google Earth for measurement. It is just an indication that there may be scope for expansion at Andrews Lane School.

## Interim Arrangements

9.1 This section considers the impact on the Cuffley schools of this development because of families with children of primary school age moving in.

9.2 The development is planned to comprise up to 121 dwellings. The illustrative mix is:

- Market: 85 dwellings (6 x 1 bed flats; 18 x 2 bed houses; 6 x 2 bed flats; 38 x 3 bed houses and 17 x 4 bed houses)
- Affordable: 36 dwellings (8 x 1 bed flats; 18 x 2 bed houses; 2 x 2 bed flats; 6 x 3 bed houses and 2 x 4 bed houses)

9.3 The social rent dwellings can be discounted because they are allocated on the basis of need by the local housing department and if a school place is needed because of the placement, the school will admit the child, if necessary on appeal. Schools have a 10% tolerance factor built into their teaching space standards for this reason.

9.4 Migrant households (those moving into the District or within the District) in Welwyn Hatfield contain on average 19 primary school age pupils per 100 dwellings (source ONS 2011 Census).

9.5 On the mix given, the migrant households will contain 16 children (spread over the development period).

			Dwellings	Migrant	Total Yield
				Yield age 4-10	
Market	Flats	1 bed	6	0.00	0
		2 bed	6	0.00	0
	Houses	2 bed	18	0.05	1
		3 bed	38	0.27	10
		4 bed	17	0.27	5
			85		16

Table 8

9.6 Welwyn Hatfield migrant households do not have an equal spread of ages of primary school age children. (Source ONS 2011 Census) For 4 – 10 year olds they are typically:

a.	4 year olds	24%	3.8 children
b.	5 year olds	14%	2.2 children
c.	6 year olds	18%	2.9 children
d.	7 year olds	9%	1.4 children
e.	8 year olds	14%	2.2 children
f.	9 year olds	10%	1.6 children
g.	10 year olds	10%	1.6 children

9.7 The 4 year olds can be discounted, as they will be admitted to Cuffley Primary School (if they apply) as part of the normal admissions (provided applications are made at the correct time).

9.8 The CLG National Housing Survey has not reported 'distance moved' recently but the previously published data said:

- a. 19% moved under 1 mile
- b. 16.2% moved between 1 mile and under 2 miles
- c. 22.8% moved between 2 miles and under 5 miles

9.9 Thus we can reasonably conclude that between 35% and 58% will not seek to change their child's school. (For the purposes of this Briefing Note, 35% has been used).

9.10 SUMMARY: Of the 16 children of primary school age that arrive at this development, 24% (3-4) will be admitted in the normal admissions round and a further 35% (5-6) are unlikely to seek to move school. Over the period of construction and first occupation of each dwelling (say 3 years) there will be statistically just 7 or 8 children who may seek a place at Cuffley School and are unlikely to automatically secure a place.

9.11 PRACTICAL REALITY 1: Moving to a new home is a serious matter and generally not undertaken lightly. Invariably research will be carried out from Estate Agents, Development Sales Office, the Internet, Zoopla and Rightmove, etc., and of course Hertfordshire School Admissions. The 'statistical 7 or 8 children' (2 or 3 per annum for a 3 year development period) is going to be zero or close to it.

9.12 PRACTICAL REALITY 2: Despite detailed desktop analysis there will no doubt be an incident of a parent turning up unannounced and seeking a school place. They may be lucky because all schools have some turnover of pupils. In January 2014 Cuffley Primary School had 415 pupils and 420 spaces. By May 2014 it had 414 pupils. So at least in a single term in the middle of the school year at least one pupil left and was not replaced.

## Conclusions

10.1 The large number of children travelling in to the Cuffley/Northaw area each day indicates that the area's two primary schools can accommodate more children living in the area to the equivalent of up to an additional 350-375 family dwellings. However because of pressure on primary school places generally, there will need to be added an equivalent number of primary school places elsewhere to accommodate those who in the future live elsewhere and would normally secure a

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place at a Cuffley/Northaw primary school.

10.2 There appears to be some scope for adding places elsewhere at Goffs Oak based on the simple assessment of existing school sites but as the FOI response indicates many children arrive each day from elsewhere.

10.3 In school-place-planning terms, the core impact of new development on primary schools is those children under 4 years of age and those unborn. All of the others are on roll at a school. Parents do not uproot their children without considering the consequences. It is suspected that some of the attractiveness of this development is the opportunity for residents of Goffs Oak and other local centres to secure a home in Cuffley and a guaranteed place for their currently pre-school age children to secure a place at Cuffley Primary School. Reality dictates that for older children, it is probably too late to get a place at Cuffley Primary School and parents will know this.