DESIGN & ACCESS STATEMENT

Detailed planning application for a residential development of 4no detached link dwellings, with car parking and showing improvements to the existing access road and turning head on land containing a retained existing detached dwelling at no 22 The Avenue, and including the demolition and removal of an existing industrial building located on land to the side of no 22, both of which are currently served by an existing vehicular access road between nos 20 and 26 The Avenue.

Land at, and adjacent to 22 The Avenue Oaklands, Welwyn, Herts, AL6 0PP

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1. INTRODUCTION AND SUMMARY OF CASE

1.1 This Statement should be read in connection with a full detailed planning submitted on behalf of Mr B. Gray for the development of this site for 4no link detached dwellings, with car parking and utilising the existing access road and carrying out improvements to that access road within the site, and in addition to provide a new turning area within the site up to adoptable standards. The existing dwelling and garage at no 22 would be retained but the commercial workshop would be removed entirely.

1.2 Written representations regarding the future development of this site have already been made in response to the proposed Draft Local Plan Submission version, and specifically how the policies and guidance contained in that Plan affect and relate to his land holding at 22 The Avenue, Oaklands, and the land adjacent to that property.

1.3 The land at, and adjacent to 22 The Avenue is shown on the site location plan forming part of the outline application edged in red. It should be noted that the blue line shown on that plan represents a right of access granted to British Gas on and adjacent to that line only.

1.4 The application site contains a detached two storey dwelling with garage and large rear garden and to the side an area of land and parking fenced off from no 22 and which has had a long history of industrial and/or storage uses. The Council has in the past accepted that the building on that land has a lawful use for industrial purposes. Trees surround the site to the rear, and on part of the land an acoustic bund has already been constructed some years ago, as part of any proposed acoustic mitigation measures that are required because of the proximity of the A1 (M) motorway.

1.5 The site does not lie in a Conservation Area, and none of the trees on the borders of the site are protected by TPO.

1.6 However, the site does lie in the Metropolitan Green Belt and Danesbury Slopes Landscape Character Area.

1.7 The applicant made a previous outline planning application in 2017 for up to 12no dwellings on the site but that application was refused permission by the Council at the Development Management Committee meeting on the 9th November 2017.

1.8 This follow up application has been made to address all the reasons for refusal, including all the technical reasons, such that this application is accompanied by an acoustic report; a statement on air quality; a flood risk assessment and a sustainable urban drainage strategy as well as other reports on transportation and protected species.

1.9 It should be noted that my client had also earlier in 2015 through to 2017, already made representations to the Council's SHLAA and its related 'Call' for housing sites, and that the Council did **not** advise through those processes that the land at 22 The Avenue should **not** be brought forward for housing through that earlier SHLAA (Strategic Housing Land Availability Assessment) consultation process, **but instead confirmed in writing that the site is considered suitable for development up to a capacity of 12no dwelling units (LPA Site reference OMH7)**.

1.10 The final Submission Version of the replacement Local Plan was discussed at Council level in March 2017 before the final Submission Version was submitted to The Planning Inspectorate in June this year in order that an Inspector be appointed to hold a Hearing into the proposed new Local Plan.

1.11 That replacement Local Plan Hearing has been taking place at various sessions since autumn 2017 and in relation to housing supply and the ability of the Council to meet its Objectively Assessed Housing Needs (OAN) the Inspector has already highlighted that there is a forecast shortfall in meeting OAN of 3,200 dwellings and in certain circumstances that shortfall could well be up to 4,000 dwellings.

1.12 He has asked the Council to carry out an urgent review of all 'washed over' settlements in the Green Belt to see what further housing sites and allocations might be able to be brought forward through the Local Plan process, even though the sites would be in the Green Belt.

1.13 The Council is currently tendering for consultants to carry out that review.

1.14 This additional delay is unfortunate and has meant that my client, who wishes to bring forward the site for a residential development as soon as possible, feels that since no replacement Local Plan has yet been found sound or has been adopted, and may not be for many months or even more, and given the site is available for a development now he has no option but to bring the land forward for a housing led redevelopment through this second and more detailed planning application.

1.15 He also asked me to write formally to the Council to ask if this site can be made part of that Green Belt review, since it does not, in our view, fulfil any of the stated purposes of Green Belt designation.

1.16 As can be seen from the attached replacement Local Plan representations dated 20th October 2016 the officers at the Council originally were supportive of making the site a specific allocation in the new Local Plan as part of the SHLAA process and assessed the site as capable of accommodating up to 12 dwellings (site ref OMH7).

1.17 However, it is clear because the Council wishes to retain the A1 (M) Motorway as a strong boundary to the Green Belt in any new Local Plan, it could not bring itself to continue that allocation process in relation to this site and did not include the site in the finally submitted list of proposed housing sites which accompany the proposed Submission Version of the replacement Local Plan.

1.18 The applicant was very disappointed with that outcome, because he, like myself does not consider that the site now plays any material role in fulfilling any of the stated purposes of designating a Green Belt and that its development with a residential scheme would cause no harm to the openness, visual amenities or rural character of the Green Belt.

1.19 The site does not assist in maintaining the openness, or the rural character of the Green Belt because it is surrounded by other dwellings (in the Green Belt), a major motorway on one side, the A1(M), and it already contains a detached dwelling and other built development.

1.20 Indeed, in the Council's own 2016 SHLAA report officers advise that this particular site...**''does not contribute to national or local Green Belt purposes''.**

1.21 This surely undermines the Council's assertions elsewhere that the site should, in effect remain in the Green Belt and not be developed for housing, **when it has clearly accepted that none of the five stated purposes of designating a Green Belt would be undermined or harmed by a residential development on this particular site.**

1.22 The highway authority's views have been sought at pre – application consultation stage and have confirmed that they do not have any objection in principle to a development of up to 12 dwellings sited here. Their comments will be referred to separately in more detail in the submitted Transport Statement from Cannon CE Ltd and is supported by the outcome of a speed survey on The Avenue which reinforced our contention that this development will not cause any harm to highway safety.

1.23 The previous Transport Statement is as relevant to this latest application as it was to the previous outline planning application since the current application is now only proposing 4no detached link dwellings and is attached with this latest application.

2. THE PLANNING APPLICATION

2.1 The application is accompanied by plans for 4no detached link dwellings with garages and car parking to be served off an improved existing access road and having a new turning area formed within the site up to adoptable standards. The existing dwelling and garage at no 22 The Avenue would be retained.

2.2 The application consists of the following:

- *This cover letter dated 26th February 2018;*
- *Application fee of £1548.00p;*
- *Outline planning application forms, including Certificate B;*
- *Copy of Notice No 1 letter served on the company owning the access road, BMG Ltd, and Herts Highways;*
- *Site location plan showing existing / proposed application site edged in red;*
- *Plan showing proposed improvements to the existing access road;*
- *Existing and proposed plans for the 4no detached dwellings;*
- *Design & Access Statement with Appendices from Maze Planning Ltd, dated February 2018;*
- *Transport Statement with Appendices from Cannon CE Ltd, dated August 2017;*
- *Acoustic Report from L. F. Acoustics Ltd, dated January 2018;*
- *Bat report from Cherryfield Ecology Ltd, dated May 2017;*
- *Air Quality report from Gem Air Quality Ltd, dated December 2017;*
- *Surface Water Drainage Strategy and Flood Risk Assessment report from Ambiental Ltd dated January 2018;*
- *Letter to the Council's planning policy team dated 19th February 2018 relating to the recent instruction of the Local Plan Hearing Inspector to ask the Council to carry out a further internal review of potential housing sites within the 'washed over' settlements in the Green Belt;*
- *Representations made in response to the Welwyn Hatfield Borough Draft Submission Version of the Replacement Local Plan, 20th October 2016;*
- *Application N6/2010/1963/FP Report to the Planning Control Committee dated 28th October 2010, and the subsequent minutes of that meeting;*
- *Appeal decision APP/B1605/A/08/2092058 dated 25th March 2009;*
- *Extracts from the Council's Strategic Housing Market Assessment Update May 2017;*
- *Extracts from the Council's Annual Monitoring Statement 2015 – 2016;*
- *Letter from Attwaters Jamieson Hill Solicitors, 2017.*

2.3 An appeal decision ref APP/B1605/A/08/2092058 dated 25th March 2009 is also very relevant in this regard. Although that appeal decision in the Green Belt around Cheltenham pre – dates the adoption of the NPPF, the relevant controls and guidance in Green Belts were set out in Planning Policy Guidance No 2 and are almost the same as applied in the subsequent NPPF.

2.4 Nevertheless the purpose of this latest planning application is to try to reach agreement with the Council on the potential scale and appropriateness of a