

Our Ref: T17 057

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Louise St John Howe
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Dear Louise

Response to the consultation on EX221 Windfall Update December 2020

We write on behalf of Hill Residential Ltd and the Royal Veterinary College with regards the consultation on the implications of Windfall update in relation to the Welwyn & Hatfield Local Plan.

Paragraph 48 of the NPPF2012 allows for windfall sites in the five-year supply if there is *compelling* evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply (our emphasis). EX221 does not produce “compelling” evidence, rather it contains a number of unsubstantiated statements and assertions. For example, at paragraph 2.4 it states that a review of the likely impact of permitted development rights was undertaken, but there is no compelling explanation as to how the figures are arrived. There is no assessment, for example, of employment areas within the town and which might come forward. It is simply a blanket statement.

At 2.5 the paper says “A further uplift in line with this amount could be considered reasonable to account for this new permitted development right prior to the introduction of any Article 4 direction” (our emphasis). Again that is not compelling evidence of the sort required by the NPPF.

One of the drivers behind the NPPF is ensure that more homes are delivered and that there is greater certainty over what is being planned for, and therefore that plans are based on evidence and are justified. It is in no-one’s interest if plans are not realistic and achievable and if they fall short on delivery.

Paragraph 3.0 demonstrates the weaknesses with the assessment. It takes a projected number of windfall dwellings, uses an average figure per dwelling to extrapolate the loss of office space. A more robust approach would be to understand the potential loss of employment floorspace in square metres and convert that to residential dwellings using a floorspace multiplier. Such a multiplier would need to take into account that new homes will need to meet the Nationally Described Space Standards, and ignore past pd conversions which as is clearly evidenced has resulted in small, poorly designed homes.

Overall, we consider there is not compelling evidence to substantiate the Council’s position on windfalls.

Yours sincerely

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