



**Hearing Statement- Stage 9
Consideration re Document EX226
(WHBC Response re SDS5)**

On behalf of:

King & Co

Representor ID:

863963

In respect of:

**Welwyn and Hatfield Local Plan
Examination in Public Stage 9**

Date:

February 2021

Reference:

MA/KING & CO/003-04/R011m

1.0 Introduction

1.1 This Statement responds to **EX226** and how the Council intend to identify enough sites to fully meet FOAHN and other requirements including school facilities.

1.2 Whilst we recognise that this Statement is not focused solely on the merits of site *SDS5*, it is important to note that there are several statements within **EX226** that are of broader application. More specifically this Statement seeks to respond to the Council's specific observations as follows:

2) The Inspector has previously stated his view that the Objectively Assessed Need for housing is 800 dwellings per year. Meeting this need would require the release of high harm sites from the green belt even if additional sites promoted through the call for sites are added to the plan.

5) The green belt covers virtually all of the undeveloped land within the borough. WHBC consider that there is scope for development on non-green belt sites and this would be boosted by additional previously developed sites submitted to the Inspector by the Council. However, whether the OAN for housing is 13,800 or 16,000 the release of green belt land for development will be necessary to meet the need, indicating the presence of exceptional circumstances for green belt release in general and in general less sustainable, would be expanded further. This is not considered by the Council to be a sustainable approach to housing delivery.

9) The implications of such a change would be that villages, lower in the hierarchy than Hatfield and in general less sustainable, would be expanded further. This is not considered by the Council to be a sustainable approach to housing delivery.

1.3 Paragraph 9 fails to take forward the Inspector's previous advice which encouraged more growth to be directed to the sustainable villages and therefore improve the prospects of fully achieving FOAHN and to protect and enhance the vitality of these important settlements, many of which have good access to shops and public transport.

1.4 On the other hand, paragraphs 2 and 5 suggest that the Council have in this instance adopted a more pragmatic approach to considerations such as Green Belt harm to meet objectively assessed need for homes and local infrastructure provision. It is also the case that through the recent **EX223** framework that any harms can be mitigated.

1.5 We would trust that the Council will now apply this more balanced methodology across the full quantum of available sites, and this will be the crucial intervention to finally achieve the full FOAHN of 16000 homes to allow the Plan to be made sound.

2.0 Responses to Statement

[Key Components and WHBC Approach](#)

- 2.1 WHBC have taken the opportunity to respond to the Inspector's Interim Report in connection with the ramifications for the allocation of site SDS5 which would generate substantial housing and deliver a secondary school.
- 2.2 The Interim Report suggests that the allocation of the entirety of the parcel requires additional justification owing to concerns re Green Belt harm, which could have led to a conclusion to omit parts of the site and therefore reducing housing yield.
- 2.3 It is implied by the Council that the reduction in housing yield would prejudice the deliverability of the secondary school which would provide school places to meet its own requirements and those of other proposed site allocations.
- 2.4 The Council argues that the site should continue to be allocated for development in its entirety and cites the Calverton judgment to take forward a criterion-led analysis.
- 2.5 For the purposes of this Statement, we refer only to the sections titled:
- The acuteness/intensity of the objectively assessed need (OAN) (matters of degree may be important);
 - The inherent constraints on supply/availability of land suitable for sustainable development and the consequent difficulties in achieving sustainable development without impinging on green belt; and
 - Settlement Strategy.

[The acuteness/intensity of the objectively assessed need \(OAN\) \(matters of degree may be important\)](#)

- 2.6 Paragraphs 2 and 3 of the Statement set out the evidenced FOAHN and seeks to refer to a potential alternative which relies upon the discredited 2018-based projections. These are important so we express these verbatim below:

"The Inspector has previously stated his view that the Objectively Assessed Need for housing is 800 dwellings per year. Meeting this need would require the release of high harm sites from the green belt even if additional sites promoted through the call for sites are added to the plan.

The implications of the new 2018-based population and household projections have been the subject of consultation by the Inspector. The Council has submitted a revised OAN to the examination of 690 dwellings per annum (13,800 total), taking account of the most recent 2018 – based household and population projections which are considered to represent a meaningful change from the 2014-based projections."

- 2.7 The opening sentence of paragraph 2 incorporates potentially confusing phrasing which would allow certain inferences to be taken. In our understanding, the Inspector has previously accepted that 800 houses per annum would represent FOAHN in accordance with the Council's own evidence and justification at the Examination. Paragraph 2 should ideally be amended to clarify that the 800 houses per annum figure was actually generated by the Council and then agreed by the Inspector to move the Plan forward.
- 2.8 The final sentence of paragraph 2 is important and sets out a clear recognition that the Council must act to release more sites from the Green Belt (including high harm sites) as compared to the supply which can be achieved both through the Publication Plan and the additional sites now being considered through **EX237**.
- 2.9 We trust that the Council will actively pursue an adjustment to their methodology to allow a sufficient supply of sites to be taken forward in order that the FOAHN and any historic under-supply can be met in full and on time.
- 2.10 We would welcome such an approach and encourage the Council to take this forward underpinned by their EX223 approach. This would optimise the opportunity to utilise sustainably located Green Belt sites where any Green Belt harm can be strongly mitigated by the implementation of effective and robust structural boundary landscaping.

The inherent constraints on supply/availability of land suitable for sustainable development and the consequent difficulties in achieving sustainable development without impinging on green belt.

- 2.11 Paragraph 5 is important and we extract verbatim below:
- "The Green Belt covers virtually all of the undeveloped land within the borough. WHBC consider that there is scope for development on non-green belt sites and this would be boosted by additional previously developed sites submitted to the Inspector by the Council. However, whether the OAN for housing is 13,800 or 16,000 the release of green belt land for development will be necessary to meet the need, indicating the presence of exceptional circumstances for green belt release in general."*
- 2.12 This paragraph implicitly accepts that despite efforts to maximise delivery on non- Green Belt sites there will still need to be Green Belt release whether this is to seek to meet the justified 16000 FOAHN figure or the Council's more recent proposal for 13800 homes underpinned by the discredited 2018-based projections.
- 2.13 It is however clear that neither the Plan under Examination nor the proposed Modifications would achieve either of these figures, despite the methodology used in terms of indirect supply components (inflated windfall and omission of any non-implementation allowance). It

must therefore be the case that the Council accept that there is Exceptional Circumstance to meet up to 16000 homes and that they will need to adjust their site selection criteria accordingly to meet that need.

- 2.14 We trust that in the event that the Examination does conclude that the FOAHN remains 16000 then the Council will actively pursue an adjustment to their methodology to allow a sufficient supply of sites to be taken forward in order that objectively assessed needs can be met in full and so that historic under-supply is fully addressed in years 1-5 of the Plan Period.
- 2.15 As the Council sets out at paragraph 2, this will require the release of high harm Green Belt sites. However, as per their recent approach advocated through **EX223**, there is a credible basis to assume that the potential for Green Belt harm can be strongly mitigated by the implementation of effective and robust structural boundary landscaping. The adoption of such an approach should mean that (as implied by the Council in the context of SDS5) that sites deemed as high harm can be made acceptable through careful design and strong structural boundary landscaping.

Settlement Strategy

- 2.16 WHBC highlight that they have a strong preference to direct new housing growth to Hatfield and Welwyn Garden City as this approach would “support its continued economic development”.
- 2.17 Notwithstanding the conclusion that SDS5 includes areas deemed to result in high Green Belt harm, the Council response cites out a concern in paragraph 8 that its contraction would mean that the overall effect is to reduce supply to Hatfield which would be regrettable.
- 2.18 Paragraph 9 is important and we extract verbatim below:
- “The implications of such a change would be that villages, lower in the hierarchy than Hatfield and in general less sustainable, would be expanded further. This is not considered by the Council to be a sustainable approach to housing delivery.”*
- 2.19 This approach conflicts directly with the recommendations of the Inspector’s Interim Report which implored the Council to take forward more housing in sustainable village locations. As part of this process, the Inspector did point out that the distribution of growth to some villages appeared low (both in totality and relative to other villages).
- 2.20 We feel it is important to point out that in the context of a Plan supply that falls very far below the FOAHN and that is skewed towards the main towns, there is a risk in inferring that any

village is “over-supplied” when in reality it is important that the supply of homes to villages with walkable access to local services and public transport needs to be increased as a whole.

- 2.21 Given that the Council has taken all efforts to maximise delivery in the towns but has failed to provide a Local Plan that would approach their justified FOAHN, it should be the case that they will take forward a revised strategy that allows them to allocate more homes which must therefore increase the supply to the sustainable villages.