

THE RT HON GRANT SHAPPS MP



HOUSE OF COMMONS

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Cllr Tony Kingsbury
Leader of the Council
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27th February 2022

Dear Tony,

Welwyn Hatfield's Local Plan

I preface my remarks by saying that as a community, the Borough of Welwyn Hatfield has a proud record of delivering homes. Given that our population is focussed around two new 20th century towns, we are no strangers to house building. And even during this century there have been periods during which we have been near the top of the national housebuilding table.

The Welwyn Hatfield Local Plan has been in development for many years. The sheer level of resource required to build a sound Local Plan is in many ways disproportionate for a smallish authority like ours. Moreover, the inflexibility of the plan-making process (although this may be specific to the experience of Welwyn Hatfield's plan) has not only led to an elongated timetable, but has actually perversely acted as a barrier to getting on with the delivery of new homes on sites already identified.

Your initial plan proposed 12,200 homes for the Local Plan period from 2016 to 2036. I am aware that the Planning Inspector, Mr Melvyn Middleton, then asked you to go further. Following extensive additional work, during which you both included more development land and stretched the targets in existing sites, you reverted with a final Local Plan containing 13,277 homes¹. I thought that this was an extremely fair offer, demonstrating that Welwyn Hatfield takes its responsibility to tackle housing affordability and provision very seriously.

As you know, the Government is clear that having determined the Full Objectively Assessed Housing Need (FOAHN), it is then your responsibility to ensure the suitability of the proposed land, including where Green Belt reassignment might be considered appropriate. In short, you must be satisfied that the 'exceptional circumstances' testⁱⁱ for the release of land from the Green Belt has been met.

Furthermore, the recent Levelling Up White Paper (LUWP) clarifies the Government's intention here by reiterating that there is a very high bar for building on the Green Belt, particularly where 'high harm' is encountered. Indeed, the LUWP goes further than before by encouraging the "[improvement of] Green Belts around towns and citiesⁱⁱⁱ". In addition, the White Paper also makes clear the Government's policy intention is to ensure that housing is built more equally across the country in order to protect communities surrounding

London from over-development, “[the] rebalancing of housing and transport investment, will reduce pressure on housing and on greenfield and Green Belt sites in overheated areas of London and the South East.^{iv}”

It is therefore concerning, that despite your very generous offer, the Planning Inspector’s letter of 16th February 2022 appears to be encouraging you to breach the Government’s clear policy intention by suggesting you construct housing on land which would result in ‘high harm’ being done to the Green Belt^v. This is unacceptable and a clear breach of your own responsibility to meet the ‘exceptional circumstances’ test of the National Planning Policy Framework (NPPF)^{vi}. As a former Housing Minister (2010 to 2012) I helped author the NPPF and can confirm that the proposed approach is in breach of our express policy intention; even prior to the new clarification stemming from the latest planning White Paper^{vii}.

Helpfully, in order to bring this planning process to a satisfactory conclusion, the Inspector’s letter of 16th February proposes focussing on the next 10 years of the plan. Although some of the conditions, including his overall number remain impossible to agree for the reasons set out above, but it does seem to me that agreement might be within reach. I should however stress that it is your duty alone, as democratically elected representatives, to determine which sites are included and that this should be based on the low, medium and high harm analysis that the council has already properly carried out.

I do hope that the above approach may find a landing ground for you and the Planning Inspector. And I would welcome our Local Plan finally be found ‘sound’ and be duly adopted - ideally during 2022.

However, I must make clear that only elected representatives can propose a Local Plan and that I will be unable to support 15,200 with the acknowledged ‘high harm’ that this would entail. You have been incredibly generous with your offer of over 13,200 houses for the planning period. This is already at the upper end of comparable areas and if the Inspector were to continue to be inflexible then you should withdraw your plan.

There were many constructive elements to the Inspector’s letter of 22nd February and it may well be that you are able to agree a yearly build out rate whilst keeping democratic control of the process. I must say that it would be a bizarre and hugely counter-productive outcome if the Inspector were to throw out Welwyn Hatfield’s plan. To do so would simply frustrate and delay your sensible approach to building more homes for local people.

The Rt Hon Grant Shapps MP
Welwyn Hatfield

ⁱ <https://www.whitimes.co.uk/news/housing/local-plan-housing-target-decision-2022-8622660>

ⁱⁱ Paragraph 136 NPPF https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

ⁱⁱⁱ Page xxiv Levelling Up White Paper <https://www.gov.uk/government/publications/levelling-up-the-united-kingdom>

^{iv} Page 225 Levelling Up White Paper <https://www.gov.uk/government/publications/levelling-up-the-united-kingdom>

^v http://consult.welhat.gov.uk/portal/planning_policy/sites_consultation_2020/proposed_changes_to_the_submitted_draft_local_plan_2016_site_allocations_2020?pointId=ID-5607197-MANUAL-WEL6

^{vi} Ibid.

^{vii} Ibid.