

## EP1 – Assessment of sites

For Aurora Properties (UK) Ltd | 22-679

Mixed use development - Land to the North of Bradmore Way, The Brookmans Estate,  
Brookmans Park, Hertfordshire

**Project:** 22-679  
**Site Address:** Land to the North of Bradmore Way, The Brookmans Estate,  
Brookmans Park, Hertfordshire  
**Client:** Aurora Properties (UK) Ltd  
**Date:** 09 January 2023  
**Author:** Ben Pycroft

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# 1. Disputed sites at 1<sup>st</sup> April 2022

LPA ref:	Address	Capacity (Net)	LPA 5YHLS	EP 5YHLS	Difference
SDS2	Broadwater Road West SPD Site	1,403	760	208	-552
SDS1	North East of WGC	872	462	0	-462
Pea104	YMCA, 90 Peartree Lane	29	29	0	-29
	<b>Total</b>				<b>-1,043</b>



## Broadwater Road West SPD Site

Capacity = 1,403 dwellings, Council's 5YHLS at 1<sup>st</sup> April 2022 = 760 dwellings

- 1.1 At the base date, the site had full planning permission for 1,340 dwellings. However, due to unexpected issues highlighted during the initial demolition work, most of the scheme has since been redesigned and two hybrid planning applications totaling 1,691 dwellings have been submitted to the Council. Both applications were pending determination at the base date (1<sup>st</sup> April 2022).

### Current planning status?

- 1.2 A full planning application for the creation of a mixed-use quarter comprising up to 1,340 dwellings and associated infrastructure was submitted on 17 January 2018 by The Wheat Quarter Ltd and approved on 15 February 2019 (ref: 6/2018/0171/MAJ). The Wheat Quarter website states:

“Welwyn and Hatfield Borough Council granted planning consent for a complete transformation and regeneration of the site in February 2019.

At the same time, the owners undertook previously approved demolition work to prepare the site for redevelopment. **This sensitive work exposed just how poorly the Listed Buildings had been maintained by the prior owners, and how big the challenge of regeneration truly was.**

Now, in 2020, the owners of The Wheat Quarter (the land to the north of Hyde Way) have critically reviewed their portion of the 2019 planning consent and are working with the Council to **refine and revise the regeneration proposals and create a scheme that better meets the needs of the local community.**”

- 1.3 The Council's Local Plan trajectory states that 208 units have been approved and are under construction, comprising apartment blocks 10 and 11 of the original consented scheme (above). The Council's trajectory states that planning permission is pending determination for the remaining units. This, coupled with the developer's statement above suggests that only a small part of the consented scheme is being implemented (208 units), with the remainder of the regeneration project to be redesigned. To that end, two further hybrid planning applications have been submitted to the Council.
- 1.4 A hybrid planning application seeking full planning permission for 552 dwellings and 250 units of extra-care accommodation, and outline planning permission for 418 dwellings was submitted on 20 January 2021 and is pending determination (ref: 6/2021/0181/MAJ). The application is subject to a very significant level of public objection. The application is also subject to an objection from the LLFA, dated 19 October 2021, which states:

“The information provided to date still does not provide a suitable basis for an assessment to be made of the flood risks arising from the proposed development. As



such, we maintain our previous comments. **We therefore object to the grant of planning permission and recommend refusal** on this basis for the following reasons. Details of how surface water arising from a development is to be managed is required under the NPPF for all Major Planning Applications as amended within the NPPG from the 6 April 2015. Therefore, for the LLFA to be able to advise the Local Planning Authority that there is no flood risk from surface water, an application should include the following. 1. Full, detailed drainage strategy for the full planning application part including all required third party agreements. 2. Clarification of the proposed drainage strategy within the outline planning application part including all necessary agreements.”

- 1.5 No further drainage details have been submitted to date. Therefore, it is unknown whether these issues will be addressed.
- 1.6 A further hybrid planning application seeking full planning permission for 317 dwellings and outline planning permission for 404 dwellings was submitted on 01 March 2021 and is pending determination (ref: 6/2021/0671/MAJ). The application is subject to a very significant level of public objection.

**Firm progress being made towards the submission of an application?**

- 1.7 As above, two hybrid planning applications are still pending determination.

**Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?**

- 1.8 No evidence has been provided. The Council’s 5YHLS trajectory at 1<sup>st</sup> April 2022 states that the site will deliver as follows:

2022/23	2023/24	2024/25	2025/26	2026/27	5YS
208	0	100	226	226	<b>760</b>

- 1.9 The anticipated start and build rates have not been confirmed by a developer. No evidence has been provided to demonstrate how the expected build rates will be achieved.

**Firm progress with site assessment work?**

- 1.10 No evidence has been provided.

**Clear relevant information about viability, ownership constraints or infrastructure provision?**

- 1.11 No evidence has been provided.



## Summary

- 1.12 Whilst the site has full planning permission for 1,340 dwellings, only 208 units of this consent are being built out. The remainder of the scheme has been redesigned and resubmitted through two hybrid planning applications, both of which are pending determination subject to a high level of public objection. It is unknown whether the pending applications will be approved. Therefore, only the 208 units with planning permission should be included in the five year supply.
- 1.13 With regards to the remainder of the site, Council has not provided any “clear evidence” of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not “clear evidence that housing completions will begin on remainder of the site within five years. The remainder of the site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **552 dwellings** from the Council’s supply at 1<sup>st</sup> April 2022



## North East of Welwyn Garden City

Capacity = 872 dwellings, Council's 5YHLS at 1<sup>st</sup> April 2022 = 462 dwellings

1.14 At the base date, the site had outline planning permission for 650 dwellings. No reserved matters applications for residential development had been submitted at the base date. A further outline planning application for 210 dwellings was submitted in October 2021 and was pending determination at the base date.

### Current planning status?

1.15 An outline planning application for 650 dwellings was submitted on 29 March 2018 by Homes England and approved on 13 February 2020 (ref: 6/2018/0873). A reserved matters application for a spine road to serve the development was submitted on 08 December 2021 and is still pending determination, over 1 year later (ref: 6/2021/3436/RM). The application is subject to an objection from the Local Lead Flood Authority (LLFA) which, in a letter dated 31 August 2022, recommended refusal of the application until information is provided on 10 outstanding matters. It is unknown whether these matters will be addressed.

1.16 No reserved matters applications have been made in respect of the residential development of the site.

1.17 A further outline planning application for 210 dwellings was submitted on 29 October 2021 by Homes England and is still pending determination, over 1 year later (ref: 6/2021/3096). The outline application is subject to objections from the LLFA, which has requested additional information on a number of matters, and the Council's Ecology Officer, as follows:

"I consider that the proposals will not deliver 5% BNG given the failure to satisfy the trading rules. If this can be resolved at the reserved matters stage through offsite agreement, the outline proposals could be determined accordingly. However, if not – and if the LPA wishes to see BNG delivered as part of this development - **the current proposals remain unacceptable and should not be approved**"

1.18 As such, it is unknown whether the outline application will be approved.

### Firm progress being made towards the submission of an application?

1.19 As above, the site only has outline planning permission. No reserved matters applications have been made in respect of residential development on the site to date. No evidence has been provided to suggest that progress is being made towards the submission of a reserved matters application for residential development.

1.20 A reserved matters application for a spine road is pending determination however there are a number of unresolved issues in relation to flood risk. It is unknown if/when these issues will be resolved.





**Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?**

1.21 No evidence has been provided. The Council’s Local Plan trajectory states that the site will deliver as follows:

2022/23	2023/24	2024/25	2025/26	2026/27	5YS
0	0	150	150	162	<b>462</b>

1.22 The anticipated start and build rates have not been confirmed by a developer. No evidence has been provided to demonstrate how the expected build rates will be achieved.

**Firm progress with site assessment work?**

1.23 No evidence has been provided.

**Clear relevant information about viability, ownership constraints or infrastructure provision?**

1.24 No evidence has been provided.

**Summary**

1.25 The site has outline planning permission for 650 dwellings, with a further outline planning application for 210 dwellings pending determination. A reserved matters application for a spine road is pending determination however there are a number of unresolved issues in relation to flood risk. It is unknown if/when these issues will be resolved No reserved matters applications in respect of residential development on the site have been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a reserved matters application for residential development.

1.26 Therefore, the Council has not provided any “clear evidence” of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not “clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **462 dwellings** from the Council’s supply



## Pea104 – YMCA, 90 Pear Tree Lane

Capacity = 29 dwellings, Council's 5YHLS at 1<sup>st</sup> April 2022 = 29 dwellings

1.27 At the base date, the site did not have planning permission. A hybrid planning application seeking full planning permission for a 100-bed hotel and outline planning permission for up to 43 dwellings was submitted on 28 October 2019 and was pending determination at the base date.

### Current planning status?

1.28 A hybrid planning application seeking full planning permission for a 100-bed hotel and outline planning permission for up to 43 dwellings was submitted on 28 October 2019 and approved on 24 August 2022. No applications for reserved matters have been made to date.

### Firm progress being made towards the submission of an application?

1.29 No evidence has been provided to suggest that progress is being made towards the submission of a reserved matters application.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

1.30 No evidence has been provided.

### Firm progress with site assessment work?

1.31 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

1.32 No evidence has been provided.

### Summary

1.33 The site has outline planning permission for up to 43 dwellings. No applications for reserved matters have been made to date. No evidence has been provided to suggest that progress is being made towards the submission of a reserved matters application.

1.34 Therefore, the Council has not provided any "clear evidence" of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not "clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of "deliverable" as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **29 dwellings** from the Council's supply



## 2. Disputed sites at 1<sup>st</sup> April 2023

LPA ref:	Address	Capacity (Net)	LPA 5YHLS	EP 5YHLS	Difference
SDS1	North East of WGC	872	612	0	-612
SDS2	South east of WGC	600	400	0	-400
SDS3/4	Brodwater Road West	1,403	787	0	-787
HS2	Creswick	340	340	97	-243
Han40a	Town Centre North – Campus East	250	250	0	-250
Pea104	YMCA, 90 Peartree Lane	29	29	0	-29
SDS5	North West Hatfield	1,750	400	0	-400
HS11	Land at Southway, Hatfield	120	120	0	-120
HS15	Land east of London Road, Woolmer	150	150	0	-150
SDS7	Marshmoor, Wel Green	100	100	0	-100
HS24	Land north of Hawkshead Road, Little Heath	35	35	34	-1
HS27	Land at the Meadway, Cuffley	60	60	0	-60
HS29	Land north of Northaw Road East	73	73	0	-73
HS30	Wells Farm, Northaw Road East	75	75	14	-61
	Windfall Allowance				-139
	<b>Total</b>				<b>-3,425</b>



## SDS1 – North East of Welwyn Garden City

Capacity = 872 dwellings, Council's 5YHLS at 1<sup>st</sup> April 2023 = 612 dwellings

- 2.1 I discuss this site above. However, for completeness, I also address the Council's position at 1<sup>st</sup> April 2023 on this site.

### Current planning status?

- 2.2 An outline planning application for 650 dwellings was submitted on 29 March 2018 by Homes England and approved on 13 February 2020 (ref: 6/2018/0873). A reserved matters application for a spine road to serve the development was submitted on 08 December 2021 and is still pending determination, over 1 year later (ref: 6/2021/3436/RM). The application is subject to an objection from the Local Lead Flood Authority (LLFA) which, in a letter dated 31 August 2022, recommended refusal of the application until information is provided on 10 outstanding matters. It is unknown whether these matters will be addressed.
- 2.3 No reserved matters applications have been made in respect of the residential development of the site.
- 2.4 A further outline planning application for 210 dwellings was submitted on 29 October 2021 by Homes England and is still pending determination, over 1 year later (ref: 6/2021/3096). The outline application is subject to objections from the LLFA, which has requested additional information on a number of matters, and the Council's Ecology Officer, as follows:

"I consider that the proposals will not deliver 5% BNG given the failure to satisfy the trading rules. If this can be resolved at the reserved matters stage through offsite agreement, the outline proposals could be determined accordingly. However, if not – and if the LPA wishes to see BNG delivered as part of this development - **the current proposals remain unacceptable and should not be approved**"

- 2.5 As such, it is unknown whether the outline application will be approved.

### Firm progress being made towards the submission of an application?

- 2.6 As above, the site only has outline planning permission. No applications for reserved matters have been made in respect of residential development on the site to date. No evidence has been provided to suggest that progress is being made towards the submission of a reserved matters application for residential development.
- 2.7 A reserved matters application for a spine road is pending determination however there are a number of unresolved issues in relation to flood risk. It is unknown if/when these issues will be resolved.



**Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?**

2.8 No evidence has been provided. The Council’s Local Plan trajectory states that the site will deliver as follows:

2023/24	2024/25	2025/26	2026/27	2027/28	5YS
0	150	150	162	150	<b>612</b>

2.9 The anticipated start and build rates have not been confirmed by a developer. No evidence has been provided to demonstrate how the expected build rates will be achieved.

**Firm progress with site assessment work?**

2.10 No evidence has been provided.

**Clear relevant information about viability, ownership constraints or infrastructure provision?**

2.11 No evidence has been provided.

**Summary**

2.12 The site has outline planning permission for 650 dwellings, with a further outline planning application for 210 dwellings pending determination. A reserved matters application for a spine road is pending determination however there are a number of unresolved issues in relation to flood risk. It is unknown if/when these issues will be resolved No reserved matters applications in respect of residential development on the site have been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a reserved matters application for residential development.

2.13 Therefore, the Council has not provided any “clear evidence” of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not “clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **612 dwellings** from the Council’s supply at 1<sup>st</sup> April 2023.



## SDS2 – Southeast of Welwyn Garden City

Capacity = 600 dwellings, Council's 5YHLS = 400 dwellings

- 2.14 At the base date, the site did not have planning permission. The site is allocated in the draft Local Plan for up to 600 dwellings (a reduction of 600 dwellings from the submitted plan). Part of the site is allocated in the East Herts Local Plan.
- 2.15 An outline planning application for 2,650 dwellings and associated infrastructure was submitted on 16 June 2022 and is pending determination

### Current planning status?

- 2.16 As above, an outline planning application for 2,650 dwellings and associated infrastructure was submitted on 16 June 2022 and is pending determination (ref: 6/2022/1395). The application is subject to a number of objections from statutory consultees, summarised as follows:

- Environment Agency – “After a review of the submitted information, we have the following two objections to the proposed development.

Objection 1: Inadequate FRA In the absence of an acceptable Flood Risk Assessment (FRA) we object to this application and recommend that planning permission is refused.

Objection 2: Works adjacent to main river - inadequate evidence that the risk to nature conservation and physical habitats has been assessed. We do not have enough information to know if the proposed development can meet our requirements for nature conservation and physical habitat because inadequate assessment of the risks has been provided. We therefore object to the proposal and recommend that the planning application is refused.”

- Herts and Middlesex Wildlife Trust – “Objection: Biodiversity metric not submitted, Biodiversity Net Gain not demonstrated, botanical data not updated since 2014, impacts of proposals on GCN population not identified, no mitigation plan provided, impacts of proposals on bird population not identified, no mitigation plan provided, impact on badger population not identified, no mitigation plan proposed, impact on bat population not identified, no mitigation plan proposed, impact of proposals on invertebrate population not identified, no mitigation proposed, impact of proposals on reptiles not identified, no mitigation proposed, corridor from The Commons Local Nature Reserve too narrow and not consistent with indicative drawings in the draft local plan SP19.”
- Local Lead Flood Authority – “We object to this application in the absence of acceptable supporting information. We require additional information as described below to enable the LLFA to be able to condition the scheme and to ensure that the strategy as proposed can be delivered as the site progresses.”



- Natural England – “As submitted, the application could have potential significant effects on Tewinsbury Site of Special Scientific Interest (SSSI). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.”
- Sport England – “Due to the lack of detail provided about the proposals for outdoor and indoor sports provision and the specific concerns about the quantity and form of the sports provision proposed, an objection is made to the planning application in its current form.”

2.17 Therefore, it is clear that significant further assessment work is required before the application can be determined.

**Firm progress being made towards the submission of an application?**

2.18 As above, an outline planning application is pending determination. Even if consent is granted, reserved matters applications will still need to be submitted to and approved by the Council. This can be a lengthy process.

**Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?**

2.19 No evidence has been provided. The Council’s Local Plan trajectory states that the site will deliver as follows:

2023/24	2024/25	2025/26	2026/27	2027/28	5YS
0	0	100	150	100	400

2.20 The anticipated start and build rates have not been confirmed by a developer. No evidence has been provided to demonstrate how the expected build rates will be achieved.

**Firm progress with site assessment work?**

2.21 No evidence has been provided.

**Clear relevant information about viability, ownership constraints or infrastructure provision?**

2.22 No evidence has been provided.

**Summary**

2.23 The site does not have planning permission. An outline planning application for 2,650 dwellings is pending determination, subject to a number of objections from statutory consultees. It is unknown whether the outstanding issues will be addressed and whether planning permission will be approved. Even if consent is granted, reserved matters applications will still need to be submitted to and approved by the Council. This can be a lengthy process.



2.24 Therefore, the Council has not provided any “clear evidence” of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not “clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **400 dwellings** from the Council’s supply.





## SDS3 – Broadwater Road West SPD Site

Capacity = 1,403 dwellings, Council's 5YHLS at 1<sup>st</sup> April 2023 = 787 dwellings

- 2.25 I discuss this site above. However, for completeness I also address the Council's position at 1<sup>st</sup> April 2023.
- 2.26 The site had full planning permission for 1,340 dwellings. However, due to unexpected issues highlighted during the initial demolition work, most of the scheme has since been redesigned and two hybrid planning applications totaling 1,691 dwellings have been submitted to the Council. Both applications are pending determination

### Current planning status?

- 2.27 A full planning application for the creation of a mixed-use quarter comprising up to 1,340 dwellings and associated infrastructure was submitted on 17 January 2018 by The Wheat Quarter Ltd and approved on 15 February 2019 (ref: 6/2018/0171/MAJ). The Wheat Quarter website states:

“Welwyn and Hatfield Borough Council granted planning consent for a complete transformation and regeneration of the site in February 2019.

At the same time, the owners undertook previously approved demolition work to prepare the site for redevelopment. **This sensitive work exposed just how poorly the Listed Buildings had been maintained by the prior owners, and how big the challenge of regeneration truly was.**

Now, in 2020, the owners of The Wheat Quarter (the land to the north of Hyde Way) have critically reviewed their portion of the 2019 planning consent and are working with the Council to **refine and revise the regeneration proposals and create a scheme that better meets the needs of the local community.**”

- 2.28 The Council's Local Plan trajectory states that 208 units have been approved and are under construction, comprising apartment blocks 10 and 11 of the original consented scheme (above). The Council's trajectory states that planning permission is pending determination for the remaining units. This, coupled with the developer's statement above suggests that only a small part of the consented scheme is being implemented (208 units), with the remainder of the regeneration project to be redesigned. To that end, two further hybrid planning applications have been submitted to the Council.
- 2.29 A hybrid planning application seeking full planning permission for 552 dwellings and 250 units of extra-care accommodation, and outline planning permission for 418 dwellings was submitted on 20 January 2021 and is pending determination (ref: 6/2021/0181/MAJ). The application is subject to a very significant level of public objection The application is also subject to an objection from the LLFA, dated 19 October 2021, which states:



“The information provided to date still does not provide a suitable basis for an assessment to be made of the flood risks arising from the proposed development. As such, we maintain our previous comments. **We therefore object to the grant of planning permission and recommend refusal** on this basis for the following reasons. Details of how surface water arising from a development is to be managed is required under the NPPF for all Major Planning Applications as amended within the NPPG from the 6 April 2015. Therefore, for the LLFA to be able to advise the Local Planning Authority that there is no flood risk from surface water, an application should include the following. 1. Full, detailed drainage strategy for the full planning application part including all required third party agreements. 2. Clarification of the proposed drainage strategy within the outline planning application part including all necessary agreements.”

2.30 No further drainage details have been submitted to date. Therefore, it is unknown whether these issues will be addressed.

2.31 A further hybrid planning application seeking full planning permission for 317 dwellings and outline planning permission for 404 dwellings was submitted on 01 March 2021 and is pending determination (ref: 6/2021/0671/MAJ). The application is subject to a very significant level of public objection.

**Firm progress being made towards the submission of an application?**

2.32 As above, two hybrid planning applications are pending determination.

**Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?**

2.33 No evidence has been provided. The Council’s Local Plan trajectory states that the site will deliver as follows:

2023/24	2024/25	2025/26	2026/27	2027/28	5YS
0	100	226	226	235	<b>787</b>

2.34 The anticipated start and build rates have not been confirmed by a developer. No evidence has been provided to demonstrate how the expected build rates will be achieved.

**Firm progress with site assessment work?**

2.35 No evidence has been provided.

**Clear relevant information about viability, ownership constraints or infrastructure provision?**

2.36 No evidence has been provided.



## Summary

- 2.37 Whilst the site has full planning permission for 1,340 dwellings, only 208 units of this consent are being built out. The remainder of the scheme has been redesigned and resubmitted through two hybrid planning applications, both of which are pending determination subject to a high level of public objection. It is unknown whether the pending applications will be approved. Therefore, only the 208 units with planning permission should be included in the five year supply. However, these are expected to be completed by 1<sup>st</sup> April 2023.
- 2.38 With regards to the remainder of the site, Council has not provided any “clear evidence” of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not “clear evidence that housing completions will begin on remainder of the site within five years. The remainder of the site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **787 dwellings** from the Council’s supply at 1<sup>st</sup> April 2023.



## HS2 – Creswick, Welwyn Garden City

Capacity = 340 dwellings, Council's 5YHLS = 340 dwellings

- 2.39 This site does not have planning permission. The site is proposed for allocation in the draft Local Plan for approximately 340 dwellings (increased from 290 dwellings in the submitted plan).
- 2.40 A hybrid planning application seeking full planning permission for 97 dwellings and outline planning permission for 243 dwellings was submitted on 14 June 2022 and is pending determination.

### Current planning status?

- 2.41 A hybrid planning application seeking full planning permission for 97 dwellings and outline planning permission for 243 dwellings was submitted on 14 June 2022 by Places for People and Gascoyne Estates and is pending determination (ref: 6/2022/1375/MAJ). The application is subject to an objection from the LLFA, dated 17 November 2022, which states:

“The FRAs are purely descriptive and do not provide a robust sustainable drainage strategy comprising a level of technical detail required to enable an assessment to be made that the site can be adequately drained.

Insufficient information has been provided in accordance with Local Standards to enable a technical assessment of the proposal to be undertaken. It is therefore not possible to establish whether a sustainable surface water drainage strategy can be delivered on the site.”

- 2.42 Therefore, further assessment work is required before the application can be determined.

### Firm progress being made towards the submission of an application?

- 2.43 As above, a hybrid planning application is pending determination. Even if approved, the site will only have detailed consent for 97 dwellings. A reserved matters application will still need to be submitted to and approved by the Council for the remaining 243 dwellings.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

- 2.44 No evidence has been provided. The Council's Local Plan trajectory states that the site will deliver as follows:

2023/24	2024/25	2025/26	2026/27	2027/28	5YS
0	70	90	90	90	340



2.45 The anticipated start and build rates have not been confirmed by a developer. No evidence has been provided to demonstrate how the expected build rates will be achieved.

2.46 The proposed changes to the Local Plan also state that the site is expected to be delivered in years 0-10, yet the above demonstrates that the Council relies on this site being completed before the end of year 5.

#### **Firm progress with site assessment work?**

2.47 No evidence has been provided.

#### **Clear relevant information about viability, ownership constraints or infrastructure provision?**

2.48 No evidence has been provided.

#### **Summary**

2.49 The site does not have planning permission. A hybrid planning application is pending determination. Even if approved, the site will only have detailed consent for 97 dwellings. A reserved matters application will still need to be submitted to and approved by the Council for the remaining 243 dwellings. Therefore, only 97 dwellings are included in the deliverable in the five year period.

2.50 With regards to the remainder of the site, Council has not provided any “clear evidence” of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not “clear evidence that housing completions will begin on remainder of the site within five years. The remainder of the site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **243 dwellings** from the Council’s supply.



## HS12 (Han40a) – Town Centre North Campus, Welwyn Garden City

Capacity = 250 dwellings, Council's 5YHLS = 250 dwellings

2.51 The site does not have planning permission. The site is allocated in the draft Local Plan for approximately 250 dwellings. No planning applications had been submitted at the base date.

### Current planning status?

2.52 The site does not have planning permission. No planning applications have been submitted to date.

### Firm progress being made towards the submission of an application?

2.53 No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

2.54 No evidence has been provided. The Council's Local Plan trajectory states that the site will deliver as follows:

2023/24	2024/25	2025/26	2026/27	2027/28	5YS
0	50	100	100	0	250

2.55 The anticipated start and build rates have not been confirmed by a developer. No evidence has been provided to demonstrate how the expected build rates will be achieved.

### Firm progress with site assessment work?

2.56 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

2.57 No evidence has been provided.

### Summary

2.58 The site does not have planning permission. No planning applications have been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

2.59 Therefore, the Council has not provided any "clear evidence" of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it



has provided is not “clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **250 dwellings** from the Council’s supply.



## Pea104 – YMCA, 90 Pear Tree Lane

Capacity = 29 dwellings, Council's 5YHLS at 1<sup>st</sup> April 2023 = 29 dwellings

- 2.60 I discuss this site above. However, for completeness I also address the Council's position on this site at 1<sup>st</sup> April 2023.
- 2.61 The site has full planning permission for a 100-bed hotel and outline planning permission for up to 43 dwellings.

### **Current planning status?**

- 2.62 A hybrid planning application seeking full planning permission for a 100-bed hotel and outline planning permission for up to 43 dwellings was submitted on 28 October 2019 and approved on 24 August 2022. No reserved matters applications have been made to date.

### **Firm progress being made towards the submission of an application?**

- 2.63 No evidence has been provided to suggest that progress is being made towards the submission of a reserved matters application.

### **Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?**

- 2.64 No evidence has been provided.

### **Firm progress with site assessment work?**

- 2.65 No evidence has been provided.

### **Clear relevant information about viability, ownership constraints or infrastructure provision?**

- 2.66 No evidence has been provided.

### **Summary**

- 2.67 The site has outline planning permission for up to 43 dwellings. No reserved matters applications have been made to date. No evidence has been provided to suggest that progress is being made towards the submission of a reserved matters application.
- 2.68 Therefore, the Council has not provided any "clear evidence" of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not "clear evidence that housing completions will begin on site within five years. The site





fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **29 dwellings** from the Council’s supply

## SDS5 – Northwest Hatfield

Capacity = 1,750 dwellings, Council’s 5YHLS at 1<sup>st</sup> April 2023 = 400 dwellings

2.69 The site does not have planning permission. The site is allocated in the draft Local Plan for a residential-led mixed use development, including approximately 1,750 dwellings (an increase from 1,650 dwellings in the submitted plan). No planning applications had been submitted at the base date.

### Current planning status?

2.70 The site does not have planning permission. No planning applications have been submitted to date.

### Firm progress being made towards the submission of an application?

2.71 No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

2.72 No evidence has been provided. The Council’s Local Plan trajectory states that the site will deliver as follows:

2023/24	2024/25	2025/26	2026/27	2027/28	5YS
0	0	100	150	150	<b>400</b>

2.73 The anticipated start and build rates have not been confirmed by a developer. No evidence has been provided to demonstrate how the expected build rates will be achieved.

### Firm progress with site assessment work?

2.74 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

2.75 No evidence has been provided.



## Summary

- 2.76 The site does not have planning permission. No planning applications have been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a planning application.
- 2.77 Therefore, the Council has not provided any “clear evidence” of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not “clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **400 dwellings** from the Council’s supply at 1<sup>st</sup> April 2023.



## HS11 – Land at South Way, Hatfield

Capacity = 120 dwellings, Council's 5YHLS at 1<sup>st</sup> April 2023 = 120 dwellings

2.78 The site does not have planning permission. The site is allocated in the draft Local Plan for 120 dwellings.

### Current planning status?

2.79 The site does not have planning permission. No planning applications have been submitted to date.

### Firm progress being made towards the submission of an application?

2.80 No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

2.81 No evidence has been provided. The Council's Local Plan trajectory states that the site will deliver as follows:

2023/24	2024/25	2025/26	2026/27	2027/28	5YS
0	40	40	40	0	120

2.82 The anticipated start and build rates have not been confirmed by a developer. No evidence has been provided to demonstrate how the expected build rates will be achieved.

2.83 The main modifications consultation explains that the site is expected to deliver in years 0-10. However, as above, all 120 dwellings are shown in the Council's 5YHLS.

### Firm progress with site assessment work?

2.84 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

2.85 No evidence has been provided.

### Summary

2.86 The site does not have planning permission. No planning applications have been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a planning application.



2.87 The Council has not provided any “clear evidence” of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not “clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **120 dwellings** from the Council’s supply.



## HS15 – Land east of London Road, Woolmer Green

Capacity = 150 dwellings, Council's 5YHLS = 150 dwellings

2.88 The site does not have planning permission. The site is allocated in the draft Local Plan for 150 dwellings. No planning applications had been made at the base date.

### Current planning status?

2.89 The site does not have planning permission. No planning applications have been submitted to date.

### Firm progress being made towards the submission of an application?

2.90 No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

2.91 No evidence has been provided. The Council's Local Plan trajectory states that the site will deliver as follows:

2023/24	2024/25	2025/26	2026/27	2027/28	5YS
0	0	30	60	60	150

2.92 The anticipated start and build rates have not been confirmed by a developer. No evidence has been provided to demonstrate how the expected build rates will be achieved.

### Firm progress with site assessment work?

2.93 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

2.94 No evidence has been provided.

### Summary

2.95 The site does not have planning permission. No planning applications have been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

2.96 The Council has not provided any "clear evidence" of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided



is not “clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **150 dwellings** from the Council’s supply.



## SDS7 – Marshmoor, Welham Green

Capacity = 100 dwellings, Council’s 5YHLS = 100 dwellings

2.97 The site does not have planning permission. The site is allocated in the draft Local Plan for approximately 100 dwellings and 40,500sqm of Class E(g) employment floorspace.

### Current planning status?

2.98 The site does not have planning permission. No planning applications have been submitted to date.

### Firm progress being made towards the submission of an application?

2.99 No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

2.100 No evidence has been provided. The Council’s Local Plan trajectory states that the site will deliver as follows:

2023/24	2024/25	2025/26	2026/27	2027/28	5YS
0	0	0	50	50	100

2.101 The anticipated start and build rates have not been confirmed by a developer. No evidence has been provided to demonstrate how the expected build rates will be achieved.

### Firm progress with site assessment work?

2.102 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

2.103 No evidence has been provided.

### Summary

2.104 The site does not have planning permission. No planning applications have been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

2.105 The Council has not provided any “clear evidence” of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided



is not “clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **100 dwellings** from the Council’s supply.





## HS24 – Land north of Hawkshead Road, Little Heath

Capacity = 35 dwellings, Council's 5YHLS = 35 dwellings

2.106 This site is included in the deliverable supply for 35 dwellings. However, planning permission has been granted for 34 dwellings so 1 dwelling should be removed. (LPA ref: 6/2021/3304/MAJ).

## HS27 – Land at the Meadway, Cuffley

Capacity = 60 dwellings, Council's 5YHLS = 60 dwellings

2.107 At the base date, the site did not have planning permission, nor had a planning application been made.

2.108 The site is allocated in the draft Local Plan for 60 dwellings (an increase from 30 dwellings in the submitted version).

### Current planning status?

2.109 The site does not have planning permission. No planning applications have been submitted to date.

### Firm progress being made towards the submission of an application?

2.110 No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

2.111 No evidence has been provided. The Council's Local Plan trajectory states that the site will deliver as follows:

2023/24	2024/25	2025/26	2026/27	2027/28	5YS
0	0	20	40	0	60

### Firm progress with site assessment work?

2.112 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

2.113 No evidence has been provided.



## Summary

- 2.114 The site does not have planning permission. No planning applications have been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a planning application.
- 2.115 The Council has not provided any “clear evidence” of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not “clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **60 dwellings** from the Council’s supply.



## HS29 – Land north of Northaw Road East

Capacity = 73 dwellings, Council's 5YHLS = 73 dwellings

2.116 The site does not have planning permission. No planning applications have been made at the base date.

2.117 The site is a proposed allocation for 73 dwellings. However, as I explain in my proof of evidence, members of the Council do not support its allocation.

### Current planning status?

2.118 The site does not have planning permission. No planning applications have been submitted to date.

### Firm progress being made towards the submission of an application?

2.119 No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

2.120 No evidence has been provided. The Council's Local Plan trajectory states that the site will deliver as follows:

2023/24	2024/25	2025/26	2026/27	2027/28	5YS
0	0	15	55	0	73

2.121 It is not clear why the Council has moved the delivery of this site from years 0-10 to 0-5. The above lead in times and build rates are not supported by evidence from a developer.

### Firm progress with site assessment work?

2.122 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

2.123 No evidence has been provided.

### Summary

2.124 The site does not have planning permission. No planning applications have been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a planning application.



2.125 The Council has not provided any “clear evidence” of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not “clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **73 dwellings** from the Council’s supply.



## HS30 – Wells Farm, Northaw Road East

Capacity = 75 dwellings, Council's 5YHLS = 75 dwellings

2.126 The site does not have planning permission. A full planning application for 14 dwellings was submitted on 24 December 2020 and was approved subject to the signing of a s106 agreement.

2.127 The site is a proposed allocation for 75 dwellings. However, as I explain in my proof of evidence, members of the Council do not support its allocation.

### Current planning status?

2.128 As above, a full planning application for 14 dwellings was submitted on 24 December 2020. The application was recommended for approval at planning committee on 20 October 2022 subject to the completion of a Section 106 agreement. The S106 has not been signed to date.

2.129 No further planning applications have been made to date.

### Firm progress being made towards the submission of an application?

2.130 No evidence has been provided to suggest that progress is being made towards the submission of any further planning applications.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

2.131 No evidence has been provided. The Council's Local Plan trajectory states that the site will deliver as follows:

2023/24	2024/25	2025/26	2026/27	2027/28	5YS
0	14	61	0	0	73

2.132 It is not clear why the Council has moved the delivery of this site from years 0-10 to 0-5. The above lead in times and build rates are not supported by evidence from a developer.

### Firm progress with site assessment work?

2.133 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

2.134 No evidence has been provided.



## Summary

2.135 The site does not have planning permission. However, a full planning application for 14 dwellings is pending determination, with a recommendation for approval issued in October 2022. Therefore, I consider that 14 dwellings are deliverable in the five year period. However, no further planning applications have been submitted to date and no evidence has been provided to suggest that progress is being made towards the submission of any further planning applications.

2.136 Therefore, with regards to the remainder of the site, Council has not provided any “clear evidence” of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not “clear evidence that housing completions will begin on remainder of the site within five years. The remainder of the site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **61 dwellings** from the Council’s supply.

## Windfall Allowance

2.137 At 1<sup>st</sup> April 2022, the Council includes a windfall allowance in the 5YHLS of 278 dwellings. This is 139 dwellings in years 4 and 5. Appendix 1 of the HDT Action Plan explains that the compelling evidence for this in accordance with paragraph 71 of the Framework is set out in the following documents:

- EX221 – Local Plan Windfall Allowance Update (November 2020); and
- EX276 – A letter from the Local Plan Inspector to the Council in relation to the windfall allowance (June 2021).

2.138 However at 1<sup>st</sup> April 2023, the Council includes a windfall allowance of 417 dwellings. This is 139 dwellings in years 3, 4 and 5.

2.139 The Council has not provided any compelling evidence for the inclusion of a further year of windfall allowance in the 5YHLS. Indeed, EX221 explains that as existing windfall sites with planning permission will take 2-3 years to complete then an allowance is only made in 2 years of the 5YHLS period. The base date at the time of EX221 was 1<sup>st</sup> April 2020 and therefore a windfall allowance is only included in years 2023/24 and 2024/25 as set out in that document.

2.140 In the absence of any compelling evidence for a further year of windfall allowance, **139 dwellings** should be removed from the 5YHLS at 1<sup>st</sup> April 2023.



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