

Examination of the Welwyn Hatfield Local Plan 2013-2032

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Examination timetable and future progress

This note sets out my intentions concerning the future of this Examination, following the recent decisions of Welwyn Hatfield Borough Council concerning its local plan.

At the end of January, the Council considered a report on possible additional sites, to be removed from the Green Belt for housing development, in order to address the housing shortfall. Following public consultation, the Council is to formally identify which of these sites it wishes to put to the Examination, for consideration as to the soundness of their intended development, As well as agreeing to a consultation on some of these sites, the Council also resolved to no longer support sites that it had previously advanced for development in its submitted Regulation 19 Plan.

There is no provision in the legislation which allows the Council to replace all or part of the submitted plan with revised proposals during the examination. Once the plan has been submitted, further changes may only be made in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004. In other words, through Main Modifications, to address matters of unsoundness that are recommended by the Inspector. These can only be made following a rigorous examination of the relevant policies and proposals as submitted and in the context of their soundness or otherwise.

The process assumes that the Council has submitted a plan that it considers to be sound and that was and remains my starting point. Before publishing it under Regulation 19, the Council was expected to have rigorously assessed the Plan to ensure that, in its view, it was sound. In particular, the Council should have ensured that full account has been taken of all relevant policies in the National Planning Policy Framework (2012) and relevant guidance in the Planning Practice Guidance.

Hearings are programmed on 10 and 11 March to consider further the proposal for Birchall Garden Suburb and to consider Symondshyde new village for the first time. These will go ahead as programmed. If the Council considers that the evidence base has changed sufficiently to justify a change in its considerations, affecting the soundness of either or both of these proposals, then this is the last opportunity to debate such evidence. Any revised evidence from the Council

should be submitted in accordance with the Hearing timetable, in order to give other parties an appropriate period in which to prepare a response.

In the context of the Council's decision to no longer support a number of the submitted sites, I have decided to hold Hearings into all of the outstanding Regulation 19 sites in May, rather than to examine them later in the year, along with the emerging new sites within the Green Belt. These Hearings should take place in the context of an updated sustainability appraisal that has objectively considered and compared all development options within the Green Belt. Again, this should be published in accordance with a timetable that allows all interested parties to assess the appraisal and respond appropriately at the Hearings.

Following these Hearings I will prepare an interim report for the Council that clearly identifies those submitted sites (if there are any) that I consider not to meet the tests of soundness and should therefore be excluded from the plan and those which I considers to be sound or with appropriate modification can be made sound.

I will also invite the Council to take appropriate action to resolve any outstanding matters of soundness. This is likely to include the submission of additional housing sites for development. It will no doubt include some or all of the sites recently considered by the Council, but it could include others. Hearings will be arranged as soon as practical to examine these.

If the Council is unable to identify sufficient land to meet its housing need, then I will expect it to demonstrate the soundness of such an approach through a rigorous assessment of all of the potential alternatives. At paragraph 47 the Framework (2018) says that local planning authorities should use their evidence base to ensure that their Local Plan meets the full objectively assessed needs for market and affordable housing in the housing market area. A housing provision that is less than the objectively assessed need advanced by the Council is only likely to be found sound if supported and justified by a sound evidence base.

M Middleton

Melvyn Middleton

INSPECTOR

13 February 2020