

Examination of the Welwyn Hatfield Local Plan 2013-2032

Inspector: Melvyn Middleton BA(Econ) DipTP DipMgmt MRTPI

Programme Officer: Mrs Louise St John Howe


Ms. Sue Tiley,
Planning Policy & Implementation Manager,
Welwyn Hatfield Borough Council,
Welwyn Garden City,
Hertfordshire AL8 6AE.

June 2021

By email only

Dear Ms Tiley

Welwyn-Hatfield Local Plan Examination**Stage 9**

1. During late February and March 2021, I held a number of virtual hearings. Three covered the strategic matters of Full Objectively Assessed Housing Need (FOAHN), the appropriate windfall allowance and the appropriate approach to take when defining green belt boundaries at proposed development sites adjacent to the green belt. These were followed by a succession of hearings into sites that had passed the Council's site selection tests. Some of these additional sites were not formally submitted by the Council and are technically referred to as exception or omission sites.
2. At the round-up session, held on 17 March, I undertook to write a series of reports for the Council as to my findings on the reassessment of the FOAHN, the windfall allowance, green belt boundaries at proposed development sites and the housing development sites that I had examined. I am now able to issue these and attach the four reports/letters for you to consider and respond to, as detailed later in this letter.
3. The document that sets out my observations on the considered housing development sites, is a factual report that is based on my findings. I have written it, having considered all of the submitted evidence in response to the consultation and the discussions at the Hearings about the additional sites that were discussed. I have made soundness assessments, similar to those in my interim report of October 2020¹, for those sites that were formally submitted to the Examination last November.

¹ Examination Document (EX) 212B

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4. On the basis of the evidence now before the Examination, I have indicated in my report if I consider that any of the additional sites would not be found sound. As I indicated in my round-up presentation, I have not made a formal judgement on the ones that could be found sound. The decision whether or not to formally submit any or all of these to the Examination is a matter for the Council to decide upon.
5. Nevertheless, I should stress that the Council must keep all of my observations in mind when deciding which additional sites to place before the Examination. There are circumstances whereby I could find the plan unsound if I consider there to be potentially sound sites that have not been submitted but are clearly more sustainable than ones that have and/or are likely overall to be less harmful to the green belt. I will make that judgement when I receive details of additional sites from the Council and have read the accompanying justification for the basket of sites that have been selected.
6. I have also concluded on those sites that were submitted at the regulation 19 stage and were re-examined at the recent hearings, if there is now sufficient evidence to enable me to conclude on their soundness.
7. I also attach a report that sets out my Supplementary Conclusions and advice as to the way forward. As it says, the distribution of development should reflect the plan's Development Strategy, which requires a proportionate distribution of housing between the two main towns and the excluded villages. Having arrived at that in general numerical terms, you will then need to comparatively assess the weight of evidence determining exceptional circumstances to remove land from the green belt on a site by site basis in the different locations. Those sites that cause least harm to the green belt's openness and purposes whilst at the same time favouring those that score best from a sustainability perspective should be chosen. These could be opposing forces; in which case a balance would need to be struck according to the weight of evidence.
8. In my supplementary report I have asked you to keep my observations and requirements in mind when considering the submission of additional sites, to be developed for housing purposes, to meet a revised FOAHN of 15,200. You should also have regard to the relevant points in the other four documents that accompany this letter.
9. Moving forward you must, without delay, submit a list of additional sites that have been selected from all of those that have now been examined and sufficient to at least provide a FOAHN of 15,200 dwellings. The list should include details of site capacity and likely availability. The choice of sites needs to be accompanied by evidence that objectively justifies the choice and distribution of the proposed sites. Those sites that are to be removed from the green belt should be accompanied by a statement of the exceptional circumstances that justify their removal from it.

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10. Additionally, you should submit evidence to demonstrate that you will have a 5-year supply of specific, deliverable housing sites from the intended date of adoption of the plan. If you need to rely on a stepped trajectory to achieve a 5-year housing land supply then this should be set out in a trajectory and be accompanied by a sound- justification for it.
11. Unless unforeseen circumstances suggest that a later date would be appropriate, your conclusions on additional sites should be submitted to the Examination, on or before 17 September 2021. If you are unable to meet this deadline, would you please let me know, as soon as possible, suggesting a revised date that would be acceptable to the Council and the reasons for it.
12. Would you also submit a revised, detailed timetable that outlines the dates for the completion of each of the remaining stages of the Examination going forward from your submission of a list of additional sites. This must set out the dates for the completion of each of the remaining stages up to the adoption of the Local Plan and should be sent to the Programme Officer by Friday 30 July.
13. If I do not hear from you/receive the information requested, by the 17 September 2021 deadline or have been informed that the Council wishes to withdraw the plan, then I will proceed to write a report confirming that the submitted plan is unsound and so cannot be adopted. Also, if it has not been possible to arrive at a position where MMs could be recommended to make it sound within a reasonable timescale, then I will follow the same course of action.
14. I am not inviting comments from anyone, other than the Council on the contents of this letter or the accompanying reports. Before the above deadlines, I will, however, be pleased to assist with any queries the Council may have.

Yours sincerely,

M Middleton

Melvyn Middleton

INSPECTOR

June 2021