

Cabinet Planning and Parking Panel
23 January 2020

WELWYN HATFIELD COUNCIL

* Reporting to Cabinet

Minutes of a meeting of the WELWYN HATFIELD COUNCIL CABINET PLANNING AND PARKING PANEL held on Thursday 23 January 2020 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors S.Kasumu (Vice-Chairman)

A.Chesterman, B.Fitzsimon, G.Hayes, T.Kingsbury,
J.Quinton, D.Richardson, A Rohale, P.Shah and
P.Zukowskyj

ALSO PRESENT: Councillors D. Bell, L. Chesterman, M. Cowan, J. Cragg, M. Larkins
S. Markiewicz, F. Marsh, B. Sarson, S. Wrenn, R. Trigg

OFFICIALS PRESENT: Corporate Director ((Public Protection, Planning and Governance) (N. Long)
Head of Planning (C. Haigh)
Planning Policy and Implementation Manager (S. Tiley)
Governance Services Officer (G. Paddan)

46. SUBSTITUTIONS

The following substitution of Panel Members had been made in accordance with Council Procedure rules 19-22:-

Councillor R. Lass for Councillor S. Boulton.
Councillor S. Thusu for Councillor R. Kingsbury.

47. APOLOGIES

Apologies for absence were received from Councillors S. Boulton and T. Kingsbury.

48. MINUTES

The Minutes of the meeting held on 13 January 2020 were approved as a correct record and signed by the Chairman.

49. DECLARATION OF INTERESTS BY MEMBERS

Councillor P. Zukowskyj declared a non-pecuniary interest in items on the agenda as appropriate by virtue of being Members of Hertfordshire County Council.

50. PUBLIC QUESTION TIME AND PETITIONS

1. Nigel Matthews – Chairman North Mymms District Green Belt Society

"The North Mymms District Green Belt society is extremely concerned about the massive allocation of Green Belt land in the Parish of North Mymms; about the disproportionate impact of the proposed housing allocations upon the Parish as a whole and in particular at Welham Green and Bell Bar/Brookmans Park. There appears to have been no consideration by the Council of the overwhelming effect that this would have on the existing communities, in terms of the pressures on infrastructure, the provision of services and the damage to the environment. Will the Council address these issues? If the Council proceeds with these proposals will they ensure that all necessary infrastructure, including schools, roads and medical services are in place before the housing developments are functional."

Welwyn Hatfield response

In so far as infrastructure is concerned, the Council has been in contact at various stages of the Local Plan process with key infrastructure providers, including Hertfordshire County Council on schools planning and transport, and the NHS Clinical Commissioning Group on provision of health facilities. We have received recent updates from these bodies, and the updates will form part of a revised Infrastructure Delivery Plan to be published shortly.

The Site Selection Background Paper includes a section on infrastructure implications for every settlement likely to receive growth.

The Council will use its very best endeavours, for example through the use of planning obligations and or CIL, to ensure that necessary infrastructure is delivered in a timely fashion to serve new development, however the responsibility for delivering such infrastructure ultimately rests with the relevant providers.

2. Howard Dawson

"I am a resident of Welham Green and a Regulation 19 party to the Welwyn Hatfield Local Plan Examination. I will be attending the CPPP meeting on 23 January and wish to submit my question in person.

I have made numerous representations to the Local Plan Examination predicting that the Council would allocate a significant number of new housing sites in Welham Green, but would not make any significant site allocations in Brookmans Park. My prediction has proved to be true.

In Welham Green, the Council proposes the allocation of seven sites for residential development and one site for a new 2 Form Entry primary school. All of these sites are physically within or adjoining Welham Green and will become

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an inclusive part of the community. The total proposed additional housing provision in Welham Green is 592 new dwellings.

In Cuffley, the Council proposes seven site allocations for 485 new homes on sites which are all within or adjoining Cuffley and will become an inclusive part of the community.

In Brookmans Park, the Council now proposes the allocation of just three sites within the village for a total of 149 new dwellings. However, in order to give the false impression of significant new housing sites in Brookmans Park, the Council has included two sites in Bell Bar for 404 new dwellings and a site to the west of the East Coast Mainline Railway for 300 homes. So, whilst the Council is claiming that 853 new homes will be provided in Brookmans Park, in fact, 704 of those homes are not in Brookmans Park at all and will not be part of an inclusive community.

This is a repeat of the trick used by the Council prior to 2016, when it claimed that BrP7 for 100 new homes was in Brookmans Park when that site is in Little Heath, one mile southeast of Brookmans Park.

It is also a fact that two of the sites proposed for 600 new homes (BrP4 and BrP34) are located beyond strong and permanent Green Belt boundaries of the A1000 and the railway which is in direct contradiction to government Green Belt policy, particularly when other more suitable sites are available within Brookmans Park, but have not been allocated.

BrP4 was also found to be high harm if released from the Green Belt and is located in the fragile gap between Hatfield, Welham Green and Potters Bar where development would severely compromise the physical, visual and perceptual gap between Welham Green and Brookmans Park along road and rail transport corridors.

It is obvious that BrP4 has only been proposed for allocation in order to locate new housing outside the village of Brookmans Park, for political rather than planning reasons. It will be Welham Green and Water End that suffer the consequences of that political decision. I even predict that in the fullness of time the Council will find a way to refuse development of BrP4 and BrP34 resulting in very little new development for Brookmans Park.

The Council has now assessed Stanborough, Lemsford, Woolmer Green, Swanley Bar, Little Heath, Northaw and Newgate Street all as individual settlements. Only Bell Bar and the rural site to the west of the railway line are lumped in with another settlement.

The consequence of the Council's misrepresentation of housing sites in Brookmans Park will cause prejudice to the proposed public consultation and give a distorted picture of housing distribution within the borough. It is foreseeable that the existing residents of Brookmans Park will claim that their

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village is being overdeveloped compared to Welham Green and Cuffley when, in fact, the opposite is true.

Before any public consultation commences, would the CPPP please confirm that it will amend its Local Plan “Additional Site Allocations” to show that

1. The small village of Bell Bar will be required to accommodate 404 new dwellings,
2. Brookmans Park will accommodate just 149 new dwellings and,
3. BrP4 (HS22), which is in open countryside to the west of the East Coast Mainline railway should be added to the “Rural Sites” allocations, not to Brookmans Park allocations.

Welwyn Hatfield Response

BrP4 adjoins the village of Brookmans Park on its western boundary.

BrP34 (the Transmitting Station site) is a large site which lies to the east of Brookmans Park and Bell Bar.

Should all of the sites around Bell Bar and Brookmans Park be taken forward, they will look, in the first instance, to the services and facilities in Brookmans Park. Hence it is considered reasonable to present all relevant sites for these two settlements in one joint section.

The forthcoming consultation document will show the relevant sites around Bell Bar and Brookmans Park, consistent with the approach taken in the 2019 consultation on the sites promoted through the Call for Sites.

3. J. Boulton, Clerk, North Mymms Parish Council

“Would the Council please explain how, when considering the Green Belt sites around Brookmans Park, Welham Green and Little Heath, they have considered the cumulative impact of the removal of so much land from the green belt. Further, would the Council demonstrate why it has chosen sites that will lead to coalescence of the villages of Brookmans Park and Welham Green and change the character of two rural villages into a small town?”

Finally, why has it completely ignored the previous responses which showed overwhelming objections to housing on these green belt sites?”

Welwyn Hatfield Response

The Green Gap Assessment 2019 reviewed land between settlements, the role that gaps play in maintaining settlement pattern and character and the impact that development may have on that role. The assessment considered how the draft site allocations and promoted sites in the gaps would affect settlement separation and recommends the identification of a number of policy gap areas and mitigation measures to offset any erosion of these gaps.

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The proposed allocations would not result in the coalescence of Brookmans Park and Welham Green. A gap of 402m would remain if both WeG6 and BrP12a were to be allocated (this would be wider than the gap between most of the settlements in the northern part of the borough) and the settlements would remain separated by the railway embankment, woodland and intervening open land.

The level of growth proposed at Welham Green (5% of all proposed housing growth in the borough) and Bell Bar/Brookmans Park (7.2%) is not sufficient to deliver the full range of services and facilities that are characteristic of those found in the borough's towns. Both villages will remain defined as 'large excluded villages' in the settlement hierarchy with Hatfield and Welwyn Garden City continuing to be defined as the boroughs two towns.

Significant levels of objections have been raised to the release of Green Belt sites for housing throughout the various stages of consultation on the emerging Local Plan. However, the Council has a duty to prepare a Local Plan and in doing so must demonstrate how it will meet the Objectively Assessed Need for housing in full. Insufficient land supply exists within the borough's urban areas. A case of exceptional circumstances exists to release land from the Green Belt. The Council is seeking to minimise the harm to the Green Belt to the lowest possible extent whilst being mindful of the need to address the need for housing and have a Plan that is found sound.

4. Councillor Bernard Sarson on behalf of Northaw and Cuffley Parish Council

'What steps are being taken by WHBC to guarantee that the SEA / SA takes full account of the cumulative and synergistic effects of plans, policies and programmes of neighbouring authorities, including committed and proposed developments in Broxbourne and Enfield and the A10 CAZ, when considering the impacts on traffic and air quality in Cuffley?'

Welwyn Hatfield Response

Cumulative effects (including synergistic effects) are considered in the 'Cumulative Effects' section of the Sustainability Appraisal (Chapter 6 of the 2016 Report). This considers the likely effects of the plan as a whole against the likely future baseline. The SA Addendum refers to the assessment of increased growth at paragraph 6.8 which it states does not change the cumulative effects identified in the 2016 SA. It will be reviewed and updated if necessary in the SA Addendum (2020), once there is certainty on the proposed updates to the Plan.

Appendix 3 and Chapter 3 of the 2016 SA Report discuss the relationship of the plan with other plans and programmes, which has been used to inform the future baseline, against which the policies and site options are assessed.

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By its very nature the Habitats Regulations Assessment considers cumulative effects. It summarises planned growth in surrounding authorities (Appendix 3 of the 2016 HRA and updated 2020 HRA), and the HRA has informed the SA with regards to effects on biodiversity (SA objective 4.6).

LUC's approach to SA, including consideration of cumulative effects, is in line with that used across the industry and has been tested successfully at many examinations.

5. Russell Haggard

"There are substantial errors in the Sustainability Appraisal sections in the Site Selection Assessments of sites Wel1, Wel2, Wel6 and Wel15. Will the council correct the appraisals accordingly, and then reconsider these four sites' suitability for inclusion in options 1, 2, 3 and 4?"

(For information, the errors are as follows:

For Wel1, Wel2 and Wel15, under "Significant positives" it is claimed that issues 4.2 ("Reduction of greenhouse gas emissions from transport") and 4.3 ("Helping to avoid/reduce air pollution") are both addressed by the sites being "within 400m of four bus stops". What the assessment fails to mention is that these bus stops have a total of three timetabled services in each direction over the course of a week. Moreover, these bus stops are in narrow residential streets: they are served at present by a minibus-sized bus, and could not accommodate a full-size bus vehicle. This means that the idea of c.240 new homes being served by these bus stops sufficient to make a "significantly positive" contribution to their sustainability is not credible.

For all of Wel1, Wel2, Wel6 and Wel15, issue 6.6 ("Provision of training, skills development and lifelong learning") is supported in the site selection assessment with the statement that each site "is within walking distance of education establishments". The only such establishment (in the singular) is Welwyn St Mary's Primary School, which provides primary education but neither training, skills development nor lifelong learning.

For none of Wel1, Wel2, Wel6 and Wel15 is any mention made under "Significant negatives" of the water supply. Homes in and around Welwyn village are supplied by Affinity Water from nearby boreholes within the Mimram river aquifer. This aquifer is already under strain due to the current number of homes, and Affinity have struggled to reduce water usage levels by their consumers leading to more abstraction than is sustainable. More homes at these sites will noticeably increase this load. Not only is further depletion of the aquifer going to be an additional Significant Negative issue, but the alternative of pumping water in over a long distance from outside the Mimram basin will come at a substantial carbon cost: i.e. another Significant Negative.

For Wel15, the response under Significant Negative issue 4.5 ("Conservation/enhancement of the borough's character, historic environment,

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and heritage/cultural assets") fails to make any mention of the major archaeological significance of this site. Hertfordshire County Council's experts and the professional archaeological community agree that this location is the likely heart of the original Roman and pre-Roman settlement that underpins Welwyn's 2000+ years of history and continual settlement. This site selection assessment makes no mention of this very significant negative.)”

Welwyn Hatfield response

Consultation on the suitability of these sites for development has taken place with the highways team at Herts County Council, the education team at Herts County Council, the Environment Agency, Affinity Water and the archaeology team at Herts County Council, none of whom have raised any concerns relating to the principle of the allocation of these sites for development.

The consultation event will allow for comments to be submitted on the Addendum to the Sustainability Appraisal 2020 and whether this is legally compliant for this stage of plan making.

It is recommended that your comments are submitted during the consultation period. The council's specialist Sustainability Appraisal consultants will be asked to consider all the comments received on the Sustainability Appraisal at the end of the consultation process.

6. Welwyn Planning and Amenity Group

“Regarding Proposed Development Around Singlers Marsh, Welwyn:

Sites Wel 1, Wel 2, Wel 6 and Wel 15 will all require improved vehicular access from the Codicote Road. The Site Selection Background Paper 2019 notes that the current road and bridge will need to be widened to cope with road traffic from those sites, and that a third party landowner has indicated a willingness to work with the site promoters to achieve this.

Can you confirm whether or not this “third party landowner” is WHBC and whether the land for these improvements will come from the Singlers Marsh plot and the amount of commercial benefit that the landowner would receive from the site promoters (or others) in return for the use of Singlers Marsh land?

Finally, please inform us what studies have been carried out to estimate the effect of noise and emissions produced by several hundred extra cars daily on the ecology of Singlers Marsh. Given that Singlers Marsh is a designated Local Nature Reserve in WHBC's own Management Plan, how is any development of this valuable public amenity permissible?

Welwyn Hatfield response

An area of land within Singlers Marsh would be required to deliver highway widening if Wel1, Wel2, Wel6 and Wel15 were selected.

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The third party landowner of Singlers Marsh is Welwyn Hatfield Borough Council.

No decision or agreement to sell the land or widen the bridge has been entered into at this stage.

No negotiations have taken place in respect of a possible commercial benefit.

Only a willingness to enter into a Memorandum of Understanding has been initially indicated if the site is taken forward for development.

No concerns have been raised by wildlife bodies in respect of the possible impacts on Singlers Marsh and no evidence studies have been carried out.

Councillors' Statements

Councillor Malcolm Cowan spoke on the impact to the areas in question and within his locality. He commented on the time taken to reach this point in respect of the Plan. He mentioned the harm to employment land/area together with the potential risk of losing manufacturing within the area; reference was made to Pea106. He specified the height impact of seven storey dwelling within the area. He also added that he did not support the ski slope proposal.

Councillor Bernard Sarson stated that residents wished to help and support development. He commented on the four sites; firstly Cuf7/HS30 and Cuf12/HS29, both of these sites being high harm on the Green Belt. The other two sites have less Green Belt harm. It was mentioned that the developer had suggested 4000 plus home for PB1 which is a high harm area. The Nor1 site is also designated as Green Belt but is already used for light industrial. The local residents have complained that the road is often blocked by lorries delivering to the industrial site. He asked Officers to revisit the site and provide justification for their decision.

51. LOCAL PLAN PROPOSED ALTERATIONS - ADDITIONAL SITES

Members considered the report of the Corporate Director (Public Protection, Planning and Governance) on the Local Plan proposed alterations – additional sites. The report noted that the Council had submitted the Local Plan for public examination in May 2017. The Inspector had advised that the Plan was found not be sound as submitted, as it does not meet the objectively assessed need for housing. The Council therefore undertook a further call-for-sites exercise in January-February 2019 and consulted on all of the suggested sites in May-June 2019.

The purpose of the report was to consider which new sites should be proposed to the Inspector for inclusion in the Local Plan. It also reported on the results of the Housing and Employment Land Availability Assessment (HELAA) and the updated Strategic Flood Risk Assessment (SFRA). The documents had been published on the Local Plan website.

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It considered any policy implications associated with sites which are considered to be technically 'suitable' coming forward and the cumulative impact associated with combination of sites.

The report highlighted that there were a number of other scenarios to achieve a total of 15,952 dwellings. It also discussed the approaches which would avoid all high harm to the Green Belt to achieve 14,958 dwellings; also made reference to maximise protection of employment land, delivery on all available sites and an alternative scenario which would retain existing sites in the Submitted Local Plan and only adds in new urban sites to achieve 13,994 dwellings.

Members received a presentation on the Welwyn Hatfield Local Plan Site Selection Background Paper 2019, which included:

- Introduction
- Options
- Government Policies
- Preferred Strategy
- Employment Land
- Maps – showing the areas proposed and boundaries
- Rural Areas – preferred strategy and categories
- Inspector's statement
- Risks
- Timetable

The Panel raised and discussed the following points:

- Concern was raised in respect of 'What is a sound Plan' and that moderate to high harm to Green Belt should not be accepted. Also why 16k homes being built in this area without sufficient employment – were these homes for people working in London? Therefore contributing to pollution.
- Members discussed the impact of the Government's policy and how this had changed and how it will affect the delivery of homes.
- HAT11 area not having a defensible green belt boundary.
- The additional 90 homes proposed at Panshanger.
- Is the development sustainable – Officers explained that the Council had a duty to co-operate and conversations have taken place with the neighbouring authorities; who indicated that they could not support any additional housing in their district/borough.
- It was also noted that at the last SOSC meeting the Committee agreed the Sports Strategy which includes a recommendation for a masterplan for Gosling Park to consider the future of sports provision including the ski slope.
- The green corridor to be retained around the airfield site (Panshanger) due to its health benefits for the community. Also protection of wildlife/natural habitat.
- Members commended the phenomenal work that has been undertaken by the Head of Planning and his Team.

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- Comments were made in respect of the Inspector not being from this area and his statement regarding the submitted Plan.
- The impact on health, transport, education and air quality were debated together with Hertfordshire County Council's proposed plans to deal with the effects. Officers explained the Hertfordshire County Council had confirmed that the infrastructure was deliverable. Provision would be made for walkable and cycling routes for safe travel.
- Coopers Green Lane – current traffic bottleneck and fatality numbers were discussed and the daily frustration for drivers during peak commute times in respect of HAT1 and Symondshyde sites.
- Lose of employment land and how commuting is affecting climate change.
- Members asked Officers to re-look at PB1 to the east of Potters Bar, as they felt it might have potential to deliver some homes.
- Members observed that sites such as BP12a in Brookmans Park and WeG6 in Welham Green might lead to coalescence between these villages.
- Officers reminded Members that Birchall Garden Suburb and proposed village at Symondshyde will be debated at a hearing session in March 2020. Some Members indicated that they cannot support the development at Symondshyde.
- Officers explained that a Green Gap Study had been undertaken.
- The impact on the nature reserve adjoining Birchall Garden Suburb was discussed. Officers responded that a 15m buffer was proposed alongside the Green Corridor and member asked which organisations had been consulted.
- The options proposed within the report were considered and Officers explained the risk of not having an adopted Local Plan and that land supply figures will be based on the Governments' standard methodology. As a consequence policies seeking to protect areas from residential development would carry less weight and the Council is more likely to lose decisions on appeal. It will have an impact on the Council's performance figures.
- A Member commented on achieving a balance between housing need and harm of using Green Belt land.
- Officers also explained the financial costs of not having a sound Local Plan. Also costs that would be incurred when applications which are refused and successfully appealed. The importance of being closer to the 16k dwellings.
- The impact of removing the number of dwelling that are currently listed within the high and moderate-to-high harm in the Green Belt would reduce the number of houses to approximately 10-11k, which will not be accepted by the Inspector.
- Independent agents had been used to test the OAN figure.
- The impact on villages – with new houses having already been added to these areas; it was highlighted that any further increase would not be acceptable. A number of residents had already voiced their concerns on this matter.

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- Wheat Quarter redevelopment site – it was noted that early proposals were being drawn up by landowners for up to 700-900 extra units at this central site. There is no knowledge on whether this is likely to be acceptable. Further information may be available at the 29 January meeting.
- Lack of parking was also considered together with road access widening of narrow lanes to accommodate new dwellings.
- Archery Field development – StL5 was considered and Members commented on increased traffic, road access and capacity for pupils at the local school.
- A question was raised, whether any documents from the Wildlife organisation are available in respect of impact of widening Singlers March bridge – showing their response to the consultation. Officers advised that no environmental group had raised any concerns.
- Reducing CO₂ emissions – removal of gas boilers for new homes.
- It was suggested that Lemsford and Stanborough sites be removed from the proposals.
- Discussion ensued on having additional Council policies to protect the Green Belt.
- Although consultants have carried out the work, it was felt by some Members that there were significant inconsistencies; together with risks to the community. A question was raised - 'what level of harm was acceptable and where should the line be drawn?'
- Members commented on the situation at Oxfordshire County Council (OCC), whereby they had been advised to intervene, as South Oxford may withdraw their local plan. The Secretary of State has instructed OCC to take over responsibility but the principal authority lacks resource.
- Members all agreed that the recommendations would need amending for parties to agree. That this was a difficult decision being taken by all in terms on agreeing to the sites.

Head of Planning advised that this Panel can make amendments to the Plan and take out proposed housing in the Green Belt but there will be consequences, in terms of resource and risk. This Panel's recommendation will be presented to Cabinet on 30 January 2020, issued for public consultation and the results of that will be re-represented to Members for a final decision by CPPP and Council as to which sites to submit to the inspector for public examination.

The Chairman thanked everyone for the debate and advised that the decision will be taken at the second part of this meeting on 29 January 2020. In the meantime, if anyone had any further questions or required additional information they should engage with Colin Haigh, Head of Planning.

Meeting ended at 10.05 pm
GP

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