

Examination of the Welwyn Hatfield Local Plan 2013-2032

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Mr. Chris Carter,
Assistant Director (Planning),
Welwyn Hatfield Borough Council.

By email only

Dear Mr Carter

Welwyn Hatfield Local Plan Examination Main Modifications**Questions arising from Main Modifications consultation**

I am writing further to the recent Main Modifications (MMs) consultation. On reading through the responses, I have come across a number of points that have been raised by representors and which require further consideration or explanation.

I would be pleased to receive your observations on the following points raised before I make a final decision as to whether or not they require the making of Further Main Modifications to the plan before it can be found sound. If, having considered the points being made, you do consider that a Further Main Modification is appropriate, then I would be grateful if you would draft one for me to consider whether or not I should recommend one.

1. MM2, Page 29, Spatial Vision

- a. In discussing the implications of the spatial vision on the Green Belt in paragraph four, the total need for Green Belt release during the plan period, to meet the housing requirement that cannot be provided for within the existing towns and villages, should be stated.

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It could be expressed as one overall amount, with the amount still to be allocated specified separately or as one overall amount with that allocated to meet the needs of the first ten years specified separately. Which do you prefer?

b. Strategic objective 1. says that the strategy releases a limited amount of land from the Green Belt to ensure that its boundaries will not need reviewing before 2032. Given that the plan, as amended by the MMs, would provide sufficient housing land to meet the Borough's development needs to beyond 2032, why is this statement unsound and therefore in need of modification?

2. MM3, Page 35, Policy SP 2, Targets for Growth.

a. To be consistent with the under provision of housing, shouldn't there be a comparative reduction in the amount of employment land and floorspace proposed in the first bullet?

b. The second bullet suggests that the identified opportunities on specific sites will deliver over 9,000 dwellings between 2023 and 2033. Please refer me to the evidence that suggests that the assumed lead in times and build out rates required to achieve this rate of delivery should be considered sound.

The second bullet also indicates that opportunities to meet the remaining need will be the subject of an early review of the plan to be submitted for examination within five years from adoption. However, Regulation 10A of the Town and Country Planning (Local Planning (England) Regulations 2012) requires reviews of all local plans to be completed no later than five years from the date of adoption, including those that are meeting their housing requirement in full and have an up-to-date evidence base at adoption.

This local plan meets neither of those considerations. In addition, the evidence from the latest housing trajectory suggests that the Council could reach a point whereby it no longer has a five-year housing land supply going forward as soon as 2026. In such circumstances and in order for me to be able to find the plan sound,

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shouldn't there be a requirement for a review to be completed and submitted for examination sooner than five years and for the obvious penalties to be set out in case it is not?

c. Is the proposed reduction in the number of required Use Class C2 bed-spaces from 330 to 201 (40%), in the third bullet, justified, simply on the basis of the 2018 based population estimates?

To what extent are the proposed C2 bedspaces specifically for nursing care?

Does the County Director of Social Care support the revised policy and target?

d. The latest land supply assessment shows more than a five-year supply of housing land from 2023. In such circumstances what is the justification for introducing a new housing target (738 d.p.a.) for the period 2016-33, in the third new paragraph to replace paragraph's 5.8 and 5.9?

3. MM4, Page 41, Policy SP 3, Settlement Strategy and Green Belt boundaries.

Settlement Hierarchy.

Should the settlement of Bell Bar be removed from the category of Small Green Belt villages and settlements and merged with the Large Excluded Village of Brookmans Park? If not, why not?

4. MM5, Page 46, Fig 6 (Key Diagram).

Unlike the revisions to Fig 8, the revised Key Diagram (Fig 6) no longer depicts the proposed notional extent of the Green Corridor. Shouldn't the revisions to the Green Corridor be shown in full on Fig 6?

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5. MM8, Page 57, Policy SADM 4, Town Centre Frontages.
- a. The Use Class Order change from Class A1 to Class E has been amended in the Policy but not in the justification text (para 8.13). It should be.
- b. Following this Use Class Order change, planning permission is no longer required for changes of use between former Use Classes A, B1 and D2 (all now in Use Class E). In this context, does the requirement for at least 70% of a defined Primary Frontage by length, within which a unit is located, remain effective?
6. MM10, Page 66, SP7, Affordable Housing table.
- Symondshyde is no longer a proposal, but the site remains in the affordable housing table.
7. MM12, Page 67, Policy SP7, Self-build and Custom Housebuilding.
- a. The revisions to the policy introduce a threshold of 100 dwellings, with a requirement that "2% of serviced dwellings" should be of this type on such sites. The reasoned justification in para, 9.21 now refers to "measures will be put in place to secure a proportion on relevant sites". At least these differences could be confusing and lead to an ineffective policy, but they could be seen as inconsistent. What level of provision is justified and in what circumstances?
- b. What is the evidential basis for introducing a threshold of 100 ds. in order to identify sites that are required to provide self-build plots?
- b. What is considered to be a realistic demand for self-build plots?
- c. Is the requirement for self-build plots to be provided on high density schemes that accommodate more than 100 ds. and which have a large proportion of flatted dwellings, justified?

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d. What are the terms upon which unwanted plots are to be disposed of to the Council or a registered housing provider? Shouldn't these be set out in the plan?

8. MM15, Page 67, Policy SP 7, Accessible and adaptable dwellings.

Is the proposal to increase the percentage of dwellings within a development that are suitable for wheel-chair users (part M4.2) viable and justified? What is the rationale behind the thresholds chosen?

9. MM19, Page 67, Policy SP7, Para 6, Pitch provision for Gypsies and Travellers

Overall provision.

In the context of the decision to demonstrate only a ten-year supply of housing land, is this part of the policy still justified?

Page 73, Table 6, Gypsy and Traveller Sites and pitch provision.

Barbaraville.

Isn't this site making an off-site contribution for site SDS5 (Hat1) and not SDS6 (Hat15)?

10. MM21, Page 79, SADM 10, Site EA10, London Road, Woolmer Green

The site area has been reduced from 4.1ha to 1.3ha. This is presumably because of the removal of land that is now within housing site HS43, from the employment area? The site promotor says that there is no employment land within site HS15?

Nevertheless, there is presumably an undeveloped area to the east of the existing employment uses and in the remaining part of the defined employment area that is to the west of HS15 and within EA10? Is this land in the same ownership as site HS15 and was its proposed use for employment purposes a part of the original proposals and therefore not the subject of a MM?

11. MM22, Page 81, Policy SP 9 Place Making and High-Quality Design

Master planning

a. The revisions to the policy introduce a requirement for master planning at sites that meet the criteria set out in the policy.

Masterplans are required at sites HS6 Gosling Park and HS11 South Way. What criteria in Policy SP 9 justifies the requirement for a master plan at these sites?

b. Should the circumstances where masterplans are required, as outlined in the fourth bullet point, be expanded to include a reference to locally designated heritage assets?

Taller Buildings.

In order to be fully justified and effective, should the new section after para. 11.4 include a reference to the importance of the settings of listed buildings and the impact that tall buildings could have on these?

12. MM24, Page88, SADM12, Criterion iii.

Does the revised criterion for the provision of electric vehicle charging infrastructure adequately incorporate the provisions of the National Electric Vehicle Charging Strategy? Shouldn't these be incorporated into the plan?

13. MM25, Page 105, Fig 8.

Why is the inclusion of site HS2 on Fig 8 considered to be unsound, thereby necessitating its removal from Fig 8?

14. MM27 Page 112, Ecological assets, criterion i.

Should “wherever possible enhance” be replaced by the provisions of the 2021 Environment Act “deliver a biodiversity net gain of at least 10%”?

15. MM32, Page 131, Garden City Principles for master planning strategic developments.
- a. Should the revised principles include a definition of what a modern garden city community comprises?
 - b. Should criterion c. refer to social aspects such as mixed tenure?
 - c. In considering public transport, should criterion e. refer to demand management?
 - d. Should criterion g. refer to ecological aspects such as biodiversity net gain?
 - e. Should criterion i. refer to sustainability considerations such as high-quality / low energy use buildings?

16. MM 36, Page 141, SADM 21, Housing allocations in Welwyn Garden City.

Site HS12 Town Centre North - Campus East.

Representations from site promoters are suggesting that the capacity at this site, which is now the subject of a planning application, is significantly greater than the 250 ds. that are indicated in the table and the housing trajectory? If this is correct, then please make the necessary adjustments.

Site HS6. Gosling Park.

Does the partial redevelopment of Gosling Park include the loss of the Ski slope? If it does, has the potential loss of the ski slope been assessed against the criteria in Policy SADM7? If so, what was the outcome? If not, will it be independently assessed if any detailed scheme for the redevelopment of Gosling Park includes its loss?

17. MM 37 Page 144, Policy SP 17, Mixed use development site at Broadwater Road.

Representations from site promoters are suggesting that the capacity at this site, which is now the subject of planning applications and decisions, is significantly greater than the 1,574 ds. indicated in the table and the housing trajectory?

Conversely the capacity of this site to accommodate new employment floorspace is also alleged to have been reduced. Is this correct? If so, please set out the necessary adjustments.

18. MM38, Page 149, SP 18, Fig 11, Northeast of Welwyn Garden City (Policy diagram)

a. Does the revised notional layout and in particular the proposed new Green Belt boundary, along the northern edge of the extended site, maximise the amount of housing that the extended site can accommodate without creating unacceptable harm to the wider Green Belt and heritage assets to the north?

The site boundary appears to follow the current ownership boundary. In the context of a comprehensive development, is that an appropriate approach?

Does the proposed development area south-west of Hens Lane maximise the achievable extent of the development area without compromising the ability of the scrub woodland to eventually provide a permanent visual screen between the development and the Green Belt to the north?

In the context of the plan's inability to meet its housing requirement what is the justification for these exclusions?

b. Should Tewinbury SSSI be indicated on the policy diagram.

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19. MM39, Page 150, SP19, Southeast of Welwyn Garden City (second bullet)

a. Is the amount of Gypsy and Traveller provision in accordance with what is now agreed with East Hertfordshire District Council?

Is this part of the policy still justified?

b. Page 152 Fig1, Blackthorn Wood, Black Fen Road

Do the revised proposals for the Green Corridor within this proposed development adequately protect this site

20. MM44 Policy SADM 26 New dwellings in Hatfield.

HS11 Land at South Way.

a. Representations suggest that there is no longer a capacity requirement for a new Primary School to serve the new dwellings proposed on this site, together with any anticipated shortage in capacity in adjacent, existing parts of Hatfield, such that this policy change is no longer justified. If so, does the site's capacity to accommodate dwellings need to be increased?

b. MM22 requires Masterplans to be prepared in circumstances where the number of ds. proposed is 500 or more and in some other criteria specific circumstances. Site HS11 has a capacity of 120 ds. How is the requirement for a masterplan at this site justified?

21. MM45. Page 171, SP 22 North West Hatfield

Additional text to the eighth bullet point

The Highway Authority maintain that "Off-site highway works required in connection with the development of this site will require a new or improved cycle/pedestrian footbridge or underpass facilities above or below the A1(M)".

The text of the policy should be amended to incorporate this.

22. MM46 Policy SADM 27 Woolmer Green.

HS15 Land east of London Road.

Is the site-specific consideration that refers to the provision of substantial woodland planting along the northern boundary imprecise and thereby ineffective and requiring further clarification?

HS43 51-53 London Road.

Should the site-specific considerations include a reference to the need to protect and improve / enhance Woolmer Green PRow 002?

23. HS49 Policy SADM 30 Welham Green.

In the context of the significant number of new ds. proposed at Welham Green through MMs, has the need for an updated highway assessment been considered? If so what was the outcome of the assessment?

24. MM50 SP 23 Marshmoor Policy Area

In the context of the evidence before and discussed at the Examination, is the requirement that any residential accommodation proposed at this site be restricted to Class 3 affordable accommodation, reserved for the use of persons employed on the site, appropriate?

25. MM51 Policy SADM 31 Brookmans Park

HS22 Land West of Brookmans Park Railway Station

The Highway Authority has pointed out that "*Off-site highway works required in connection with the development of this site will require a new or improved cycle/pedestrian footbridge over the railway line*"

The text of the policy should be amended to incorporate this.

26. MM52, Page 191, Policy SADM 32 Little Heath

HS47 Videne and Studlands, Hawkshead Road

Is the proposed new Green Belt boundary to the north-west of this site, particularly in the vicinity of the Kingdom Hall, in the most effective location?

27. MM53, Page 193, SADM33, Cuffley.

Should there be a reference to the need for a package of measures to provide highway infrastructure improvements within and around Cuffley (e.g at the junctions of Cattlegate and Station Roads with Northaw Road) to be funded by contributions from the proposed development sites? If that is the case then there ought to be a reference to it in the Cuffley site considerations.

HS27 The Meadway

Should the site-specific considerations make reference to a requirement to improve the junction of the Meadway with Station Road?

28. Some of the text in Chapter 27 (Implementation and Monitoring) may require changes. Will any of these be such that they are a Further Main Modification to the plan?

29. The housing and employment floorspace trajectories (Figs 17 and 18) have changed. Would you supply revisions to be considered as Further Main Modifications.

30. Policy Maps changes

Should these include minor changes to the extent of Site HS2 Creswick and the need for a tree planting screen along its southern boundary as required by MM36?

On receipt of this letter, please make it available via the examination website. At this stage I am inviting the response of the Council only to the points above as part of my consideration of the responses to the proposed MMs, and do not envisage accepting correspondence on this matter from other parties.

Yours sincerely

Melvyn Middleton

INSPECTOR