

WELWYN HATFIELD LOCAL PLAN EXAMINATION

A Note on Progress and Other Issues

Prepared for the North Mymms District Green Belt Society

By Jed Griffiths MA DipTP FRTPI

Introduction

1. The Local Plan Examination Hearings are well under way, and have reached the end of Stage 2. Stage 1, which was held on the 21st September, was concerned with the Legal Soundness of the Plan, in particular the Duty to Co-operate.
2. Stage 2 covered the Over-Arching Strategy, and the sessions were held on the 24th, 25th, and 26th October. I represented the Society on all three days. An account of the proceedings and the main issues raised is set out below.
3. Stage 3 will be concerned with the topic-based policies in the Local Plan. No detailed programme has yet been issued, but these sessions may begin in December. For the Society, however, the main interest will be in Stage 4, which will examine the site allocations. This will not commence until early in the New Year and no dates have been specified.

Stage 2 Hearings

4. On the first day, the bulk of the discussion was focused on the housing market area (HMA) and whether the Council forecasts had provided for the full objectively-assessed housing need (FOAHN). There was general consensus that the Council's choice of a tightly-drawn HMA, focused on the Borough, was reasonable. There was a lengthy debate about the assumptions underlying the forecasts of housing need. Representatives of developers stated that the figure was far too low, and there should be uplifts of 10% or 20%. Opposition to the housing numbers was led by Richard Bate, representing the Save Symonshyde campaign, who pointed out the rapid rise in the figures over the past five years.

5. In terms of the assumptions, the arguments were around whether the Office for National Statistics mid-term population estimates and projections had over-estimated attributable population change (UPC), and whether migration assumptions were realistic. On the latter, I raised the point that the forecasts had been based on historic high levels of growth, particularly in the period when the former BAe site was being redeveloped and the University was expanding.
6. On the employment question, the Inspector seemed to challenge the Council as to whether the Plan was based on over-optimistic assumptions of economic growth. I was able to reinforce this point by pointing out that the rate of forecast growth in Welwyn Hatfield was far higher than in other Hertfordshire Districts. I also referred to the numbers of vacant properties and sites in the Borough.
7. Day 2 was concerned entirely with Green Belt. In the first part of the day, the question was whether the proposals to remove land from the Green Belt were based on exceptional circumstances. Together with Steve Baker of CPRE, and Richard Bate, I argued that exceptional circumstances did not exist. Paragraph 14 of the NPPF stated that Local Plans should meet objectively-assessed needs, unless specific policies (including Green Belt) indicated that development should be restricted. This was countered by the developers present, who argued that OAN should be met in full in the national interest. The Council stuck to its view that it had no choice but to release land.
8. The second part of Day 2 looked at the Council's Green Belt Review, and whether an objective assessment had been undertaken of the contribution that land makes to the purposes of the Green Belt. I was able to give a potted history of how the Green Belt in Hertfordshire had been determined; I also stressed the importance of the tract of countryside running across the south of the Borough and the of the gap between Potters Bar and Hatfield. John Adams (Deloitte), representing Aurora Properties, also referred to the vulnerability of the gap, but his interpretation related to the area bounded by the East Coast Main Railway Line and the A1(M). Not surprisingly, the Inspector noted that Adams' clients were pushing for the site to the north of Brookmans Park (BrP1).
9. The hearing also considered the issue of boundaries, and whether the proposed revisions would result in stronger long term boundaries. It was clear from the debate that this had not been achieved.

10. The Spatial Vision and the Settlement Strategy were debated in the final session of the day. My view on this was that, although the Plan was seeking to reinforce the Garden City and New Towns heritage of the Borough, it was damaging to the Green Belt. Others were of the opposite view. John Adams' view was that more should be allocated to the larger villages, including Brookmans Park, Welham Green, and Cuffley. Lee Melin, of Hill Residential (who have an interest in the Potterells Farm site) made a concerted plea to include all the "washed over" Green Belt small villages in a further Green Belt Review. I argued against that idea on grounds of sustainability.
11. Day 3 examined the targets for growth and the five year land supply. The final session looked at the overall development strategy and whether it was sound. Several of us were of the view that the targets for growth were too high – the issue of employment-led growth was raised again. There was a rather inconclusive discussion about infrastructure constraints, particularly education. John Adams and other developer interests were alleging that the growth targets and locations had been determined by lack of primary school capacity. On transport, no objections to the Plan had been made by HCC Highways or Highways England. HCC confirmed this during the debate.
12. On the question of housing, the Home Builders Federation put in a paper to show that the Council could not show a five year land supply, even with the stepped trajectory proposed in the Plan. The Council were clearly uncomfortable with this, but seemed to argue that an early review of the Plan would give them the chance to build up the completion rates. The Inspector that, if the target was not meeting the full OAN, they would need to justify it in terms of Green Belt or other issues.
13. The final question, on the soundness of the overall strategy, produced a mixed response. I advanced the view that it was sound in terms of the concentration on the towns, but there was too much pressure on the Green Belt. At this point, I was able to make the Inspector aware of the latest consultation by Hertsmere Borough Council, and the option of a Garden Village to the north of Potters Bar. John Adams circulated a paper showing that, in his view, there had been a low proportion of dwellings allocated to the larger villages when compared to their share of the Borough's population.

The Inspector's Meeting

14. Somewhat unusually, the Inspector called a meeting with the Council team to give his provisional thoughts and to review some of the issues. This was held in public on Friday 27th October and was tele-cast. At the outset, the Inspector said that the Plan was not "sound" as it stood. The full OAN was not being provided for, but this could happen if it was fully justified as an exception to national policy, as set out in the NPPF (paragraphs 14 and 47). The Council therefore had a number of choices to make in order to make the Plan sound.
15. On the one hand, one of the choices made by the Borough Council could be to provide for the full OAN (and therefore taking more land from the Green Belt). On the other hand, the Council could make the case, based on Green Belt grounds, to stick with the number of dwellings proposed in the Local Plan. It could even justify a lower total, if assumptions (say) were made about lower levels of migration, or more land brown field land could be found. From the tone of the discussion, it seems that the Inspector would not take kindly to the Council not meeting its full OAN, unless sound reasons were given.
16. At some point during the Examination period, the Council will come back to the Inspector with its suggested choice. This will be published on the Examination website, and representors (including the Society) will be given the opportunity to comment. The Society
17. The Inspector repeated his previous concerns about the amount of employment land proposed. If land was required in the Green Belt, there would need to be sound reasons for it.
18. The issue of alternative strategies was raised. For the Council, Sue Tiley was adamant that all the options had been investigated. It was too early to consider the option of a new settlement outside of Hertfordshire.
19. The Inspector asked whether the Housing Market Assessment was fully justified. More needed to be said about the housing market – could the Council look more fully at the housing needs of adjacent Districts? What about migration into Welwyn Hatfield? At this point the Council mentioned the options report from Hertsmere BC and the idea of a Garden Village to the north of Potters Bar.

20. Interestingly, the Inspector said that he had “no issue” with the housing figure of around 16,000 dwellings and with any tweaking of that figure. He clearly had problems with some of the assumptions, including the ONS mid-year estimates, the UPC figures, and migration flows. All these assumptions gave a high starting point for the household projections and the housing forecasts. The Council were asked to do some work to ascertain the headship rates which would occur if there was no “step up” as assumed in the Plan. This would include an investigation of the effects of student numbers.
21. On employment forecast, the Inspector had no issue with the methodologies. The land requirement needed to be looked at, however, including the assumptions on densities.
22. There was a lengthy passage on Green Belt issues. The Inspector called for an exercise to investigate whether the need to release land from the Green Belt was essential (in this the Council should refer to the Calverton judgement). The Council should produce a Plan which shows those parts of the Green Belt which create openness – under no circumstances should these areas be built on.
23. The Calverton judgement (paragraph 51) set out a five-stepped approach to the ascertainment of “exceptional circumstances” for the release of Green Belt. These are as follows:
- (i) the acuteness/intensity of the objectively-assessed need (matters of degree may be important);
 - (ii) the inbuilt constraints on supply/availability of land “*prima facie*” suitable for sustainable development;
 - (iii) the consequent difficulties in achieving sustainable development without impinging on the Green Belt;
 - (iv) the nature and extent of the harm to *this* Green Belt (or those parts of it which would be lost if the boundaries were reviewed), and:
 - (v) the extent to which the consequent impacts of the purposes of the Green Belt may be ameliorated or restored to the lowest reasonably practicable extent.
24. From this, it is clear that the Council will need to focus on the last two of the five steps, to assess the degree of harm to the Green Belt in Welwyn Hatfield. From the Society’s point of view, the particular areas of concern will be the gaps between Potters Bar and the settlements in North Mymms, and the gap between Welham Green and Hatfield.

25. The Inspector also referred to the need to establish long term boundaries. How much land would be needed beyond 2030? Sue Tiley said that an area of over 600 hectares would be needed. To this, the Inspector retorted that “maybe the Government will do something about it.” At this point he gave some of his impressions of the value of the Green Belt, derived from his car journeys on the A1 (M) between his hotel in Stevenage and Welwyn. He noted the areas of open countryside, especially to the west of the motorway.
26. There was a discussion about the gaps between settlements and the 1Km threshold used by the Council. The Inspector re-stated his request for a study which identified the areas of land which it was necessary to keep permanently open (referring to paragraph 85 of the NPPF). The “washed over” villages would also need looking at. The Council would need to be satisfied that its Plan was sound if it had no safeguarded land.
27. On housing land supply, the Inspector asked the Council to set out, in one place, its assumptions about deliverability. Sue Tiley referred to the most recent Annual Monitoring Report, but the Inspector asked for all the figures to be updated by the end of the Hearings.
28. At the end, the Inspector stated that he did not want to hold the Plan up. He asked the Council to embark on the items of work he had asked for. The next stage of the Hearings may start in December. The hearing sessions on the large sites may be held before others in Stage 4. Sessions on the smaller villages may be delayed until he had decided where to go on the Green Belt issue. In response, the Council would produce a schedule of the work required.

The Meeting with Grant Shapps MP

29. Nigel Matthews has produced separate note of this meeting, held on Friday 27th October. Grant Shapps said that he would talk to other Hertfordshire MPs about the Green Belt. The main outcome was that he was prepared to raise the issue in the House of Commons via a Parliamentary Question procedure.
30. I would suggest that the consequent debate might take the following form:
- refer to the Government’s consistent commitment to the protection on the Green Belt.
 - the Green Belt is a key element of the planning system and has been so since before WW2. Its purposes were expressed in Circular 42/55 and its boundaries were determined in strategic planning documents..

- many of the Districts and Boroughs around our cities are entirely within Green Belts. In their Local Plans, they are expected to provide for their objectively-assessed housing needs. Inevitably, this will mean the removal of land from the Green Belt.
- if this process continues, the Green Belt will be eroded to the extent that it has no meaning. What is required, therefore, is a study of the Green Belt, examining its purposes, and its future role as an instrument of strategic planning.

31. The PQ usually prompts a debate in the House, and so there will be need to brief other MPs who are concerned about the issue. In addition to this meeting, I have also met twice with Mark Prisk MP, who is also well aware of the pressures on the Hertfordshire Green Belt. He is willing to talk to fellow Hertfordshire Members.

32. The Society has also had contact with the London Green Belt Council, which is also seeking to raise the issue in Parliament. They are also suggesting a study – this could be undertaken by one of the Standing Committees.

What Happens Next?

33. The Society should be prepared for Stage 4 of the Hearings in the New Year These will consider the site allocations and other relevant policies, on a settlement-by-settlement basis. This is expected to include sessions on Brookmans Park, Little Heath, and Welham Green (Marshmoor). I would suggest that the earlier analyses of each of the sites, which are not examination documents, should be appended to any pre-hearing statements. I recommend that we should also be involved in the hearing session on HAT1.

34. The Council will be producing the additional pieces of work requested by the Inspector. These will be published as examination documents and the Society will have the opportunity to respond.

35. Since the meeting the PA to Grant Shapps MP has been in touch about the PQ process. Society members have made suggestions for the content of the PQ. It now seems likely that the issue will be raised in Parliament.

Jed Griffiths

Hertford

10th November 2017

