

## Stage 2: Overarching Strategy

### Issues and Questions for Hearing Session Examinations

- 1.1 This Hearing Statement has been prepared by Dandara Ltd (ID: 1041705) in response to the issues and questions raised by the Inspector for the Stage 2: *'Overarching Strategy'* Hearing Session. This Hearing Statement should be read alongside Dandara Ltd's representations to the August 2016 Welwyn Hatfield Proposed Submission Local Plan (WHLP) and Hearing Statement for Stage 1: *'Legal Soundness and Duty to Cooperate'*.
- 1.2 The Statement will only address issues and questions that relate to Dandara Ltd's representations to the August 2016 WHLP with specific focus on housing delivery and the failure to allocate sufficient land to meet objectively assessed housing need resulting from various deficiencies contained within the supporting site selection evidence base. Where possible, Dandara Ltd will seek to avoid replicating information and arguments put forward within representations to the August 2016 WHLP.

#### ***Overarching Strategy Question 2 – Full Objectively Assessed Housing Need***

- 1.3 The *'Strategic Housing Market Assessment Update'* (2017 SHMA) increases the FOAHN for Welwyn Hatfield to 800 dpa over the Plan period 2013-32 equating to 15,200 dwellings. The significant and severe housing shortfall that would result from the adoption of the WHLP in its current form, representing a shortfall of circa 3,200 homes which is even more pronounced during the early to middle part of the Plan period due to the proposed stepped trajectory within Policy SP2, renders a detailed interrogation of the methodology underpinning the 2017 SHMA unnecessary. The Plan is unsound in its current form from a 'positively prepared', 'effective' and 'consistent with national policy' perspective, being unable to meet FOAHN as required by para. 47 of the NPPF without adequately demonstrating that finding additional sources of housing would conflict with policies contained within the NPPF.

#### ***Overarching Strategy Question 4 – Green Belt Review***

- 1.4 The Green Belt Review for Welwyn Hatfield comprises two individual stages. The Stage 1 *'Green Belt Review Purposes Assessment'* was published in November 2013 with the objective of identifying **strategic Green Belt parcels** to be assessed against the NPPF para. 80 purposes criteria. The Stage 2 *'Green Belt Review'* was published in October 2014 and recognises that the Stage 1 Assessment was strategic in scale and whilst it identified individual sub-areas considered to not significantly compromise the primary function of the Green Belt:

*"... given the non-strategic nature of the small scale sub-areas identified those identified may not be exhaustive. It is therefore possible that additional potential small scale boundary changes, that would not compromise the overall function of the Green Belt, might be identified through more detailed assessment work"* (pg. 3).

- 1.5 The Stage 2 Review therefore commits to *"... assess a range of Green Belt sites identified by the WHBC Strategic Housing Land Availability Assessment (SHLAA), and the Gypsy and Traveller Land Availability Assessment (GTLAA) call for sites with the potential to contribute to a sustainable pattern of development"* (pg. 3).
- 1.6 As explained in more detail in Section 4.0 of our representations to the August 2016 WHLP (pgs. 9-11) and our Stage 1 Hearing Statement, a range of Green Belt sites, including land off

New Road, Stanborough being promoted by Dandara Ltd for residential development, were excluded from the SHLAA assessment process during a 'phase 1' sieve. This was on the premise that settlements 'washed over' by the Green Belt are automatically unsustainable and warrant no assessment. By automatically concluding that all settlements 'washed over' by the Green Belt are unsustainable, without any evidence or due assessment, the Council has discounted a swathe of potential housing sites that could contribute to addressing the current significant FOAHN shortfall.

- 1.7 Despite the Stage 2 Green Belt Review commitment to reviewing a range of Green Belt sites and their potential to contribute to sustainable patterns of development, it cannot be considered to represent an objective assessment of the contribution that land makes to the purposes of the Green Belt because it does not consider sites arbitrarily excluded during the SHLAA 'phase 1' sieve. Such sites, excluded due to not being contiguous with an inset settlement boundary, regardless of their overall sustainability or contribution to the purposes of the Green Belt, have not been considered within the Green Belt Review.
- 1.8 The approach of the Council when concluding that all settlements 'washed over' by the Green Belt are automatically unsustainable and should not be considered able to accommodate new housing within the Stage 2 Green Belt Review is contrary to NPPF and PPG guidance. NPPF para. 80 explains the five main purposes of the Green Belt, none of which involve a consideration of sustainability.
- 1.9 Para. 86 of the NPPF explains the criteria a Local Authority should apply when considering whether a settlement should be 'washed over' or alternatively 'inset' from the Green Belt. This principally rests on whether the open character of a settlement makes an important contribution to the wider Green Belt. **Whether a settlement is 'washed over' or 'inset' from the Green Belt has nothing whatsoever to do with sustainability.** This is a fundamental misapplication of national policy by Welwyn Hatfield who have incorrectly equated the Green Belt status of settlements with sustainability, which is a separate planning assessment not related to Green Belt designation.
- 1.10 Our representations to the August 2016 WHLP clearly demonstrated, using land at New Road, Stanborough as an example, that the approach taken by the Council of automatically excluding from assessment any sites located adjacent to settlements 'washed over' by the Green Belt on the grounds of perceived unsustainability, has resulted in the rejection of a range of small and medium scale sites which may not contribute to the purposes of the Green Belt and which could assist the Council with meeting FOAHN.
- 1.11 Our previous representations also identified significant inconsistencies regarding the automatic rejection of 'washed over' Green Belt sites, not least the proposed allocation of Symondshyde which is not only 'washed over' but lies in isolated, open countryside. **If the Council is to make an exception for Symondshyde to consider potential sustainability based upon the delivery of a 'free standing village', then why are existing villages, already established with a range of services, automatically considered unsustainable if 'washed over' by the Green Belt?**
- 1.12 We will not repeat the conclusions of our independent Green Belt Review submitted in support of Dandara's representations to the August 2016 WHLP nor the assessment of sustainability set out at paras. 3.3 to 3.5 of the same representations. Suffice to say that by failing to adequately assess the sustainability and contribution to Green Belt purposes of land

located adjacent to settlements 'washed over' by the Green Belt, the Council has rejected an important supply of small and medium scale sites that could assist with meeting FOAHN and boosting housing delivery immediately following adoption of the Plan.

- 1.13 The unevidenced and automatic exclusion of land located adjacent to settlements 'washed over' by the Green Belt has resulted in the Council's housing delivery strategy not being justified as "... *the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence*" (NPPF, para. 182). We included within para. 4.20 of our representations to the August 2016 WHLP an assessment of the contribution to the NPPF Green Belt purposes of various sites proposed for allocation within the emerging Plan. This demonstrates that numerous sites proposed for allocation made a significant contribution to at least one Green Belt purpose.
- 1.14 The unevidenced exclusion of 'phase 1' SHLAA sites has resulted in the rejection of sustainably located sites which do not significantly contribute to any of the five NPPF purpose tests whereas conversely, sites are proposed for allocation which, following development, would significantly undermine the future function of the Green Belt in Welwyn Hatfield. It can therefore only be concluded that an objective assessment of the contribution land makes to the purposes of the Green Belt has not been undertaken.
- 1.15 In respect of the second question under agenda item no. 4, it is not considered that the proposed revisions to the Green Belt would result in stronger boundaries that will endure beyond the period of the Plan, due to the Council failing to fully consider how all potential land located adjacent to existing settlements, including those 'washed over' by the Green Belt, contributes to NPPF Green Belt purposes. Land off New Road, Stanborough is an example of Green Belt land that no longer serves its purpose and for which development, notwithstanding assisting the Council to deliver FOAHN, would result in a much stronger, more coherent Green Belt boundary that would endure beyond the Plan period.

#### ***Overarching Strategy Question 5 – Green Belt Exceptional Circumstances***

- 1.16 The Council recognise the guidance provided in para. 83 of the NPPF that "... *Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan*". Para. 1.7 of the May 2017 'Green Belt Topic Paper' recognises:
- "The Council's case for exceptional circumstances therefore relates to the scale of the need for housing and employment land, which cannot be met within the urban areas, and the social and economic consequences of not addressing need as far as possible. Its inability to meet the full objective assessment of housing need relates in part to the consideration of the nature and extent of harm to the Green Belt and the extent to which it can be ameliorated or reduced".*
- 1.17 Whilst we support the principle of the Council's approach to 'exceptional circumstances', we do not support the application. The extract from the Topic Paper recognises the imperative of allowing Green Belt release due to the scale of housing and economic need in the Borough coupled with a limited supply of non-Green Belt development land. However, whilst we agree that this should be balanced against an assessment of the extent of harm that would result to the Green Belt following the release of land to meet development needs, this is not what the Council have done through their site assessment process.
- 1.18 As explained in detail above, the Council has not applied a consideration of 'exceptional circumstances' equally across Green Belt land proposed for development. Instead, the Council

has not considered the development potential of any land located adjacent to a settlement 'washed over' by the Green Belt, irrespective of its potential impact and contrary to the commitment of the Stage 2 Review to assess a range of Green Belt sites. This selective application of 'exceptional circumstances' is in direct conflict with the claim made in para. 1.7 of the Topic Paper quoted above that the Plan's *"inability to meet the full objective assessment of housing need relates in part to the consideration of the nature and extent of harm to the Green Belt and the extent to which it can be ameliorated or reduced"*. By not considering the application of 'exceptional circumstances' to all available Green Belt land, the Council cannot claim that the ability to meet FOAHN is hamstrung by the cumulative impact of Green Belt loss within the Borough.

- 1.19 Taking the second question of item no. 5, the choice of land to be lost from the Green Belt to deliver housing has not been objectively derived as a consideration of 'exceptional circumstances' has not been applied consistently and therefore objectively due to the unevidenced assumption that all land adjacent to settlements 'washed over' by the Green Belt is unsustainable and will not thus be assessed.
- 1.20 Should land off New Road, Stanborough have been subject to detailed assessment applying the broad definition of 'exceptional circumstances' described within the Topic Paper, it would have added a sustainably located site, able to deliver additional housing to assist the Council with meeting FOAHN, that does not materially contribute to any of the five NPPF Green Belt purposes tests, representing a coherent, logical in-fill to an existing settlement. However, land located adjacent to settlements 'washed over' by the Green Belt has not been subject to an objective Green Belt assessment applying 'exceptional circumstances' due to the unevidenced and subjective rejection of such sites as automatically being unsustainable.

***Overarching Strategy Question 6 – Spatial Vision and Settlement Strategy***

- 1.21 Taking the third question of item no. 6, the spatial strategy being advanced cannot be considered as one which is seeking to maintain the existing pattern of settlements. As demonstrated within the settlement hierarchy set out on pg. 42 of the August 2016 WHLP, the settlement structure of the Borough comprises two principal towns accompanied by a range of villages of differing sizes, some inset from the Green Belt and some 'washed over'. The settlement pattern is therefore one comprising two main service centres, supported by a range of villages containing differing levels of services.
- 1.22 The spatial strategy being proposed within the August 2016 WHLP does not maintain the existing pattern of settlements within the Borough as it excludes no less than sixteen villages from being considered for any form or scale of development due to being 'washed over' by the Green Belt. NPPF paras. 54 and 55 recognise the benefits of delivering new housing in rural locations which in Welwyn Hatfield represents an established source of housing and an important part of the settlement hierarchy. By artificially restricting the ability of the Borough's villages to grow, without any assessment of their sustainability or Green Belt function, the Council are overlooking an established and important source of housing supply whilst ignoring the character of these villages which have of course grown over time to accept new residents.
- 1.23 Whilst we fully acknowledge that some villages may not be considered sustainable locations for significant housing growth, it is not correct to assume, as the Council has, that all settlements 'washed over' by the Green Belt are equally and universally unsustainable.

Stanborough is an obvious example not solely looking at accessibility to local services and public transport modes but also considering the geographical reality of the village being located closer to the centre of Welwyn Garden City, including the railway station, than the strategic eastward extensions to the town being proposed within the Local Plan. Figure 1 below is taken from the August 2016 WHLP and demonstrates the proximity of Stanborough to Welwyn Garden City which is easily accessible on foot, cycle or using the high frequency route 610 St Albans to Welwyn Garden City bus service.

- 1.24 To maintain the existing pattern of settlements within the Borough the Local Plan must recognise the important role that sustainable villages, regardless of their Green Belt status, are able to play in assisting with meeting FOAHN and supporting established communities and the rural economy.
- 1.25 Moving onto the spatial vision and settlement strategy reinforcing the Garden City/New Town heritage of the Borough, we disagree that the proposed new settlement at Symondshyde does not undermine the original purpose of this part of the Welwyn Hatfield Green Belt. The fundamental premise of a Garden City or New Town is that of a compact settlement surrounded by a rural belt - which it is now proposed to accommodate a sizeable new village. The location of Symondshyde within this countryside belt surrounding Welwyn Garden City, the new town of Hatfield and St Alban's clearly compromises the character and important design philosophies upon which these towns were originally conceived and developed.

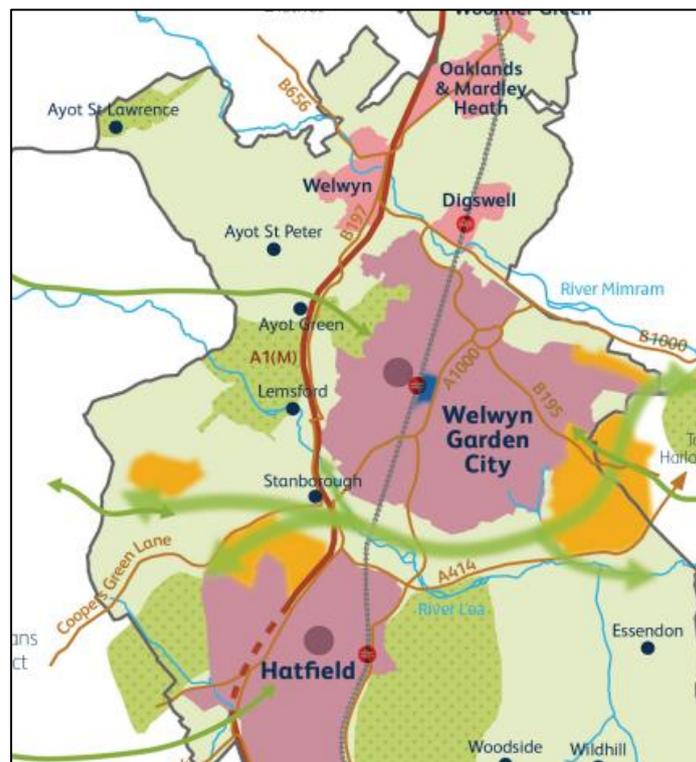


Figure 1: WHLP Key Diagram

**Overarching Strategy Question 7 – Targets for Growth**

- 1.26 Policy SP2 of the August 2016 WHLP establishes a Borough-wide housing target of ‘around’ 12,000 dwellings between 2013 and 2032. Pg. 16 of the ‘*Council Responses to the Inspector’s Preliminary Questions on Matter 1 – Duty to Cooperate*’ dated 4th August 2017 acknowledges that “... a more recent update to the Welwyn Hatfield SHMA (completed May 2017) indicated a revised (rounded) OAN of 800 dpa equivalent to 15,200 over 19 years ... this would point to a more pronounced [housing] shortfall of around 3,200 over the Plan period”.
- 1.27 The housing target contained within Policy SP2 of the emerging WHLP is not therefore considered to be sound having regard to para. 47 of the NPPF and the objective to boost significantly housing supply “... to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area”. The WHLP is no less than circa 3,200 homes short of meeting FOAHN and cannot be considered as ‘positively prepared’ nor ‘consistent with national policy’, as identified above, due to not objectively assessing the Green Belt and omitting from any assessment villages ‘washed over’ by the Green Belt.
- 1.28 Policy SP2 proposes a staggered housing target which would deliver an average of 498 dpa during the period 2013/14 to 2021/22 prior to then increasing to an average of 792 up to 2031/32. Notwithstanding our soundness concerns regarding the derivation of the overall housing target, we do not agree with the Council that constraints imposed by infrastructure capacity requirements justify either a failure to meet FOAHN nor the level of short term housing delivery within Policy SP2 which represents only circa 62% of FOAHN during the early to middle part of the Plan period 2013/14 to 2021/22.
- 1.29 The report of the Executive Director (Public Protection, Planning and Governance) to the 16<sup>th</sup> March 2017 Cabinet, Housing and Planning Panel noted at para. 4.10 that they had “*left no stone unturned*” in attempting to identify sufficient sources of housing supply. As we have made clear through this Hearing Statement, by excluding from any assessment or consideration potential development sites located adjacent to settlements ‘washed over’ by the Green Belt, the Council has overlooked a potential source of small and medium scale sites that could contribute to meeting both FOAHN and boosting supply during the short to medium term.
- 1.30 By overlooking the potential for a range of settlements to contribute towards meeting FOAHN, the Council is disproportionately relying on large-scale strategic sites which are hamstrung by upgrades to a range of infrastructure which will delay commencement and eventual completions. Rather than simply accepting that the Plan cannot meeting FOAHN and suppressing short and medium term delivery, the Council should revisit those settlements ‘washed over’ by the Green Belt to try and understand their actual sustainability and any opportunities to deliver homes within the short to medium term in accordance with their approach to Green Belt ‘exceptional circumstances’. Until they do this, the claim of ‘leaving no stone unturned’ is unsubstantiated.

**Overarching Strategy Question 8 – Five Year Land Supply**

- 1.31 It is important to note that we do not consider that the staggered housing delivery target proposed within Policy SP2 of the August 2016 WHLP is either sound nor justified based upon the availability of a range of development sites that have received no assessment due to being

located adjacent to settlements 'washed over' by the Green Belt and automatically deemed unsustainable.

- 1.32 Section 5 of our representations to the August 2016 WHLP considers the five year housing land supply position applying the Policy SP2 12,000 housing target annualised over the Plan period. This assessment concludes that the Council is only able to achieve a 3.36 year housing land supply. Clearly this position would be significantly worsened applying the updated FOAHN figure of 15,200 (800 dpa). The Plan is therefore unsound as being unable to reinstate a five year housing land supply and fails the 'positively prepared', 'effective' and 'consistent with national policy' tests.
- 1.33 We consider that adopting an arbitrary staggered housing target within Policy SP2, which is significantly below FOAHN and represents in the short to medium term a figure some 20% below the unevidenced housing target being proposed, is simply a contrived and calculated attempt to reinstate a five year housing land supply following adoption of the Plan.

***Overarching Strategy Question 9 – Is the Overall Development Strategy Sound?***

- 1.34 The overall development strategy contained within the August 2016 WHLP is unsound as failing all four tests contained within para. 182 of the NPPF:
- The Plan fails to meet FOAHN and cannot be considered as 'positively prepared';
  - The Plan fails to objectively assess the development potential of all land within the Borough by excluding from consideration land located adjacent to settlements 'washed over' by the Green Belt and cannot be considered as 'justified';
  - By excluding all land located adjacent to settlements 'washed over' by the Green Belt, the Plan fails to achieve a balanced supply of housing sites, relying on large-scale strategic allocations with various infrastructure constraints, reducing supply during the early to middle part of the Plan period and cannot be considered as 'positively prepared';
  - The Plan is proposing the allocation of a 'new village' at Symondshyde in an isolated, countryside location 'washed over' by the Green Belt but considers existing villages as unsuitable to accommodate any form of development and cannot be considered 'justified';
  - The Plan failing to support or recognise the historic and contemporary development and growth of the Borough's villages, undermining the achievement of rural vitality and cannot be considered as 'consistent with national policy';
  - The Plan will fail to achieve sustainable development as defined by the NPPF by delivering below FOAHN and limiting housing supply in the short to medium term leading to worsening affordability, suppressing household formation rates, slowing economic growth and exacerbating social exclusion and mobility and cannot be considered 'consistent with national policy'.