

Statement

Overarching strategy

Arlington Business Parks GP Limited

9 October 2017

What is an appropriate housing market area on which to base objectively assessed need calculations for this local plan? Has the Council used an appropriate area?

1. No comment.

Are the Council's successive forecasts of housing need robust and reliable? Is its methodology for FOAHN sound? Are the FOAHNs being met within the relevant HMAs?

2. We agree in principle with the Council's acceptance that 'the projected growth in population implied by the most up to date ONS projections is considered fully justified in the context of the detailed analysis of demographic data undertaken in the successive updates of SHMA reports' (7(a), EX11). We also agree with the Council's position that 'the 15,200 dwellings represents the concluded OAN in the latest 2017 SHMA update. This is considered to represent the full need for housing in Welwyn Hatfield in accordance with the PPG and NPPF. This OAN has been calculated following the stepped methodology set out within the PPG' (8(a), EX11).
3. However, we do refer to the Government's intended standardised calculation of the proposed methodology for FOAHN, which has been published for consultation recently. Whilst we accept that Local Plans submitted for examination before the end of March 2018 can continue to rely on housing needs evidence prepared in accordance with the existing methodology in the PPG, the introduction of a new calculation represents a new direction of travel and undermines the appropriateness of relying upon the existing methodology for the entire plan period to 2032. In this regard, it is important to note that the Government's assessment of the Council's housing need based on the proposed formula from 2016 to 2026 is 877 dwellings per annum, which is more than the current FOAHN of 800 dwellings per annum (2017 SHMA update) and significantly more than the 630 dwellings per annum provided for in the local plan (LP). It is also important to emphasise that other boroughs inside the HMA have also seen an increase in their FOAHN (in some cases significantly) within the Government's consultation document. This subsequently points to an increased requirement across all the relevant local authorities.
4. The Council concedes that the FOAHN is not being met in the Welwyn Hatfield HMA (3(b), EX11), notably because the Council has a shortfall in its planned provision against FOAHN and no other authority within the HMA is planning to accommodate the shortfall (or any part of it) arising in Welwyn Hatfield.
5. The Council states that the planned shortfall of provision against FOAHN has arisen for a number of reasons, notably that there are insufficient sites that are suitable, available and achievable and that there are constraints on the delivery of infrastructure to meet that need (15, EX11). The Council's position about the insufficiency of sites is not accepted.
6. In this context, the results of the Housing and Economic Land Availability Assessment 2016 (HELAA), were reported to the Council's Cabinet and Housing and Planning Panel (CHPP) on 13 June 2016. The HELAA assessed whether sites were suitable, available and achievable, with an estimate around deliverability in light of information available at that time. The CHPP also considered the Employment and Housing Sites Selection Background Papers (2016) which drew the results of the HELAA together with key outputs from the Green Belt Sites Review (GB Review), the implications for defining a new Green Belt boundary, the Sustainability Appraisal, the sequential test (flood risk management) and to what extent sites would help deliver strategic objectives. These papers also considered the capacity of

infrastructure to support potential levels of growth (highlighting any pressure points).

7. It is not accepted that the Council has applied sufficient rigour to the process of identifying the deliverability of sites particularly having regard to the FOAHN and the policy imperative to meet that FOAHN. By way of example, the CHPP deleted a key strategic site (HAT2) that: had the support of officers; passed the Stage 2 HELAA assessment (the Council's evidence concluded that HAT2 is considered to be suitable and available for 1,375 dwellings); and would make a significant contribution towards meeting the FOAHN identified by the Council. To delete a key strategic site from the LP in circumstances where the FOAHN identified by the Council cannot be met by the Council and/or its neighbouring authorities represents the antithesis of the proper planning of the HMA and is contrary to the NPPF/the PPG.
8. We dispute the HELAA's suggestion that there is some uncertainty on whether HAT2 is achievable and that the allocation 'would result in a loss of a significant proportion of Ellenbrook Fields, which is currently a well-used informal country park for the wider local area' (HOU/20a). We have submitted additional evidence in our Regulation 19 submission to the Inspector to demonstrate that the Council's concerns on deliverability of HAT2 are misconceived.
9. Critically, the allocation of HAT2 would also unlock the delivery of substantial additional investment into the provision of the country park. Indeed, a more meaningful and enhanced quality country park can be delivered with the following additional benefits (as set out on page 22 in appendix A of our Regulation 19 representations):
 1. **A larger area of new woodland** than was originally envisaged, which will provide a mixed canopy and a more diverse woodland ground flora;
 2. enhanced biodiversity benefits through the creation of the new series of green links running east-west, which were not originally envisaged, providing greater **ecological connectivity between woodland to the west and wetland habitats** to the east of the country park;
 3. greater opportunities for open access and recreation including a new Forest Village Green, offering a **more diverse range of recreational activities and sporting facilities** than what were originally proposed;
 4. culverted section of the Ellenbrook stream across the centre of the country park will be opened up, **creating valuable new stream habitat**, native vegetation, habitat connectivity and providing visual interest; and
 5. providing **real opportunities for open access and recreation**, including the provision of parking facilities.
10. Further, the country park as existing does not meet all the essential criteria for country parks as set out within the Government's guidance on securing accreditation for a country park (published October 2014). However, the enhanced country park as set out above would meet the essential criteria, notably through it being visibly staffed, available to the public and have

pathways more accessible and suitable for disabled users.

Are the employment forecasts and targets appropriate? Are they unduly influenced by one-off historic circumstances?

11. No comment.

Has an objective assessment of the contribution land makes to the purposes of the green belt been undertaken? Do the proposed revisions to the GB boundaries result in stronger boundaries that will endure well beyond the life of this plan?

12. The methodology used in the GB Review has not been properly interpreted and consequently the conclusions of the Review are unsound and undermine the Council's overarching strategy in the LP. GB purpose criteria were used in the Green Belt Purposes Assessment 2013 to explain what extent each site contributes to four of the five GB purposes set out with the NPPF (the GB purpose of assisting urban regeneration was excluded from the assessment because 'all areas of Green Belt contribute equally') (15(d), EX14), together with a local purpose, which is to maintain the existing settlement pattern.
13. The fifth GB purpose of assisting urban regeneration should also have been included in the assessment as some areas of the GB if released for development would assist in urban regeneration better than others. For example, it is highly probable that GB sites that are adjacent to existing urban areas and that have strong connections to existing towns are likely to assist in urban regeneration more than new settlements that are isolated in the GB. This point is closely related to Government guidance on the reviewing of GB boundaries, which states that 'local planning authorities should take account of the need to promote sustainable development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the GB boundary, towards towns and villages inset within the GB or towards locations beyond the outer GB boundary' (84, NPPF). We think that not including all of the five GB purposes nor taking into account the need to promote sustainable patterns of development is a fundamental flaw of the GB Review.
14. In addition, critically, the GB Review included a local purpose, which is to maintain the existing settlement pattern. Paragraph 2.9.1 of the GB Review states that maintaining the existing settlement pattern has been a long-standing 'planning objective from the 1998 Hertfordshire Structure Plan and it continues to be articulated within local policy'. Policy 6 of the Hertfordshire Structure Plan refers to the main development strategy of planned regeneration that concentrated new development within a defined list of the larger settlements. Development in smaller settlements, and in rural areas, beyond the GB would be accommodated only to support the facilities and services needed and meet the employment and housing needs for that settlement and its surrounding area (Policy 6). This long-standing Hertfordshire policy of maintaining the existing settlement pattern is also reflected in the LP where it states that its strategic objective is, inter alia, 'to provide for the borough's development needs over the plan period, **in a form which maintains the existing settlement pattern**' (Objective 1, 3.2, the draft Local Plan).
15. The creation of a new settlement in the GB in Hertfordshire is not part of the settlement pattern strategy in the County. Moreover, it is absurd that a new settlement only scores a 'partial' impact on maintaining the existing settlement pattern (per the site assessment for SDS6 (HAT15) in the Stage 2 Green Belt Review 2016).

16. The minutes of an officer level meeting on 31 January 2017 state that ‘Hertfordshire is a network of small to medium sized towns and large number of small to large villages and whilst SDS6 (HAT15) would be detached from existing settlements it would not introduce anything different from this pattern’. When properly considered, such a finding does not withstand scrutiny. For example, the rationale behind the local GB purpose of maintaining the existing settlement pattern is clearly set out in paragraph 2.9.1 of the Stage 2 Green Belt Review 2014, which refers to the planning objective of the 1998 Hertfordshire Structure Plan i.e. to direct new development to a list of existing towns and not to create new settlements.
17. Consequently, there has not been a proper assessment of the contribution that SDS6 (HAT15) makes to the local purpose of the GB in maintaining the existing settlement pattern. In this respect, the GB Review is fundamentally flawed and should be revisited but on the basis of: a correct interpretation of the local purpose (as above); an assessment of whether the release of GB sites would assist in urban regeneration and in the promotion of sustainable patterns of development.
18. The Council's decisions in respect of HAT2 and HAT15 are inconsistent with the policy objective to promote sustainable patterns of development.

[What should constitute exceptional circumstances for removing land from the GB? Has the choice of land to be lost from the GB been objectively derived?](#)

19. We agree with the Council that the need to plan for a sustainable pattern of growth and to ensure that sufficient land is available to meet the borough’s development and housing needs over the period of the LP is sufficient, as a matter of principle, to comprise exceptional circumstances (6.2, Draft Local Plan Proposed Submission Document). However, and related to the above, the choice of land to be removed from the GB has not been objectively derived, principally because: (i) the local purpose of the GB to maintain the existing settlement pattern has not been applied correctly to the assessment of sites; (ii) the GB purpose of assisting urban regeneration was not included in the assessment; and (iii) there was insufficient consideration of how the release of different GB sites may impact on the promotion of sustainable development patterns.

[Do the spatial vision and settlement strategy reinforce the Garden City and New Town Heritage of the Borough, whilst maintaining the area’s distinctive character? Is the strategy being advanced consistent with the Borough’s GB location? Is the strategy now being advanced really one that seeks to maintain the existing pattern of settlements?](#)

20. The strategy being advanced is not consistent with the Borough’s GB location because the allocation of a new village at Symondshyde (SDS6 (HAT15)) does not meet the local purpose of the GB as set out in the GB Review Stage 2, which is to maintain the existing settlement pattern.
21. The strategy now being advanced fails to maintain the existing pattern of settlements as a new settlement is being proposed that would change that pattern. As mentioned previously, the GB Review identified a local purpose for the GB, which is to maintain the existing settlement pattern. This purpose was a planning objective in the 1998 Hertfordshire Structure Plan and continues to be articulated within local policy. Indeed, policy CS3 in the Emerging Core Strategy (2012) was based on a strategy of focusing the majority of growth (over 92% of the borough’s future housing growth) in and around Hatfield and Welwyn Garden City. The remaining housing growth was to be distributed between the borough’s large excluded

villages and the rest of the borough, with no GB boundary changes proposed around villages.

22. In the Local Plan Consultation January 2015, it was recognised that with the scale of the need for housing, the location for suitable opportunities for development around the borough and the benefits that can flow from limited development in helping to sustain community facilities and services, a change in strategy was proposed to allow a more proportionate and more dispersed pattern of growth to meet the housing needs of the borough. However, the fundamental principles of the settlement strategy remained. This is because the primary focus was for new development in and around the two towns of Welwyn and Hatfield where accessibility to strategic transport networks and public transport is good and the greatest potential exists to maximise accessibility to job opportunities, shops, services and other facilities and to create new neighbourhoods with supporting infrastructure, all of which are consistent with the principles of sustainable development. The secondary focus for development, being within and around the excluded villages at a more limited scale, compatible with the more limited range of job opportunities, shops, services and other facilities available in these locations. In villages and other rural areas that lie within the GB, development would be restricted so as to be consistent with the type of development envisaged in the National Planning Policy Framework (Policy Intention CS3, Local Plan Consultation 2015).
23. It was not until August 2016 that this long-standing planning objective fundamentally changed in the last round of consultation in plan-making (Draft Local Plan Proposed Submission), which introduced a new settlement at Symondshyde (SDS6 (HAT15)). At no other time in the preparation of the LP had the settlement strategy been in question. Given the fundamental change of proposing a new settlement, which was not put forward as an option earlier in the plan making process, the Council has failed to carry out any effective consultation with local communities, businesses and other interested parties. Consequently, it is not surprising that the allocation of a new settlement at Symondshyde is controversial (including amongst Members of the Council) and has attracted a significant number of local objections.

Are the targets for growth (housing) appropriate? Are the constraints imposed by infrastructure requirements fully justified?

24. Whilst the target for housing growth of 800 dwellings per annum appears to reflect guidance in the PPG, it has been shown to be out-of-date following publication of the Government's consultation about the introduction of a standard calculation for assessing housing need.
25. The constraints imposed by infrastructure requirements are not, however, fully justified and undermine the Council's overarching strategy including in relation to housing delivery and future release of the Green Belt. By way of example, we have demonstrated through previous discussions with officers and the preparation of a masterplan that there are no infrastructure constraints that would prevent delivery of HAT2, which was entirely consistent with its original allocation for development in the draft LP. EX11 cites the loss of strategic green infrastructure (Ellenbrook Park) as a constraint to the delivery of HAT2, however, we have demonstrated in our Vision for HAT2 (appendix A to our Regulation 19 representations) that the resultant country park following the completion of new homes in 2051 would be more accessible; have more recreational and sporting facilities and be more biodiverse. The country park would also still be a substantial 148ha, which is 88% of the size of the original country park.

Five year land supply: are the Council's assumptions sound? Is the proposed windfall allowance appropriate? Is the proposed split housing trajectory sound? Could the proposed housing development strategy result in a five year supply of housing land?

26. The Council's assumptions on the housing trajectory are unsound because they are not justified in that they do not represent the most appropriate strategy (within the meaning of the NPPF), notably by omitting a strategic site (HAT2) that could deliver 1,100 new homes in the plan period (85 dwellings per annum between 2018 and 2031 (inclusive)). The inexplicable deletion of any reference to HAT2 (not recommended by the officers and not consistent with the LP evidence base) makes a significant difference to the housing trajectory and has a substantial negative effect on the Council's ability to contribute to its FOAHN. A revised housing trajectory should be prepared following an increased housing target and the allocation of HAT2 as a strategic site. Taking the above into consideration, the Council's five-year housing land supply position is currently based on its Local Plan housing target. Should this position be based upon the FOAHN, it is clear the Council will not have a five-year housing land supply.

Is the overall development strategy being advanced by the Council sound?

27. For the reasons given above, the Council's overall development strategy is unsound as it not justified (the evidence demonstrates that the most appropriate strategy to contribute to FOAHN is to allocate HAT2 as a strategic site) and it is not in accordance with national planning policy on promoting sustainable patterns of development when reviewing GB boundaries (84, NPPF). Consequently, the Local Plan clearly fails the tests of soundness set out within paragraph 182 of the NPPF.