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Contact:
democracy@welhat.gov.uk

* Reporting to Cabinet

12 June 2024

You are requested to attend a meeting of the WELWYN HATFIELD BOROUGH COUNCIL CABINET PLANNING AND PARKING PANEL to be held on Thursday 20 June 2024 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

AGENDA **PART 1**

1. **APOLOGIES & SUBSTITUTIONS**

To note any substitution of Panel Members in accordance with Council Procedure Rules.

2. **MINUTES**

To confirm as a correct record the Minutes of the meeting held on 14 March 2024 (previously circulated).

3. **NOTIFICATION OR URGENT BUSINESS TO BE CONSIDERED UNDER ITEM 8**

4. **DECLARATION OF INTERESTS BY MEMBERS**

To note declarations of Members' disclosable pecuniary interests, non-disclosable pecuniary interests and non-pecuniary interests in respect of items on this Agenda.

5. **PUBLIC QUESTION TIME AND PETITIONS**

Up to thirty minutes will be made available for questions from members of the public on issues relating to the work of the Committee and to receive any petitions.

6. BIODIVERSITY NET GAIN (BNG) - UPDATE ON THE INTRODUCTION OF MANDATORY BNG AND THE WELWYN HATFIELD GUIDANCE NOTE 2023
(Pages 3 - 10)
7. HOUSING DELIVERY TEST ACTION PLAN (2024) (Pages 11 - 34)
8. SUCH OTHER BUSINESS AS, IN THE OPINION OF THE CHAIRMAN, IS OF SUFFICIENT URGENCY TO WARRANT IMMEDIATE CONSIDERATION
9. EXCLUSION OF THE PRESS AND PUBLIC

The Panel is asked to resolve:

That under Section 100(A)(2) and (4) of the Local Government Act 1972, the press and public be now excluded from the meeting for item 10 (if any) on the grounds that it involves the likely disclosure of confidential or exempt information as defined in Section 100A(3) and Part 1 of Schedule 12A of the said Act (as amended).

In resolving to exclude the public in respect of the exempt information, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

PART II

10. ANY OTHER BUSINESS OF A CONFIDENTIAL OR EXEMPT NATURE AT THE DISCRETION OF THE CHAIRMAN

<u>Circulation:</u>	Councillors	K.Thorpe R.Platt (Chair) S.Bonfante S.Goldwater T.Kingsbury G.Michaelides	L.Musk S.Thusu L.Gilbert (Vice-Chairman) P.Shah M. Hobbs J.Quinton
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Co-opted Members:-
Tenants' Panel Representatives
To be appointed

Senior Leadership Team
Press and Public (except Part II Items)

If you require any further information about this Agenda please contact Democratic Services, Governance Services on or email – democracy@welhat.gov.uk

Agenda Item 6

Part I

Item No:

Main author: Carol Hyland

Executive Member: Councillor Rose Grewal

WELWYN HATFIELD BOROUGH COUNCIL
CABINET PLANNING AND PARKING PANEL – 20 JUNE 2024
REPORT OF THE ASSISTANT DIRECTOR (PLANNING)

BIODIVERSITY NET GAIN (BNG) – UPDATE ON THE INTRODUCTION OF MANDATORY BNG AND THE WELWYN HATFIELD GUIDANCE NOTE 2023

1 Executive Summary

- 1.1 This report provides an update on the introduction of mandatory Biodiversity Net Gain and the status of the Welwyn Hatfield Biodiversity Net Gain (BNG) Guidance Note 2023.
- 1.2 At the time the Welwyn Hatfield BNG Guidance Note was endorsed in September 2023, the Welwyn Hatfield Local Plan 2016-2036 had not yet been adopted, and secondary legislation and national guidance was still awaited to clarify how the requirement for mandatory BNG would be applied in practice.
- 1.3 Commencement of the mandatory requirement for Biodiversity Net Gain was expected to take place in November 2023. In the event, the mandatory requirement commenced on 12 February 2024 (for major development). National Planning Practice Guidance was issued on 14 February 2024 and DEFRA has issued extensive guidance relating to this matter, with updates in February, March and April 2024.
- 1.4 For the reasons set out within the report, it is no longer necessary or appropriate to take the Welwyn Hatfield Biodiversity Net Gain Guidance Note into account in decision making for planning applications where a biodiversity net gain requirement applies.

2 Recommendation

- 2.1 That the Panel notes the introduction of mandatory Biodiversity Net Gain (BNG) and recommends to Cabinet that the Welwyn Hatfield BNG Guidance Note should no longer be a material consideration in decision making where a biodiversity net gain requirement applies.
- 2.2 If unanimously agreed by the Panel, for the decision to be taken by the executive member using their delegated powers under paragraph 18.1(b) of the Cabinet procedure rules.

3 Explanation

- 3.1 Biodiversity Net Gain (BNG) is an approach to development and / or land management that leaves the natural environment in a measurably better state than before. Recently issued national Planning Practice Guidance (PPG) on the matter states that BNG is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.
- 3.2 The purpose of the Welwyn Hatfield BNG Guidance Note was to provide interim guidance and information for applicants and decision-makers on how the requirement for BNG would apply to development proposals. It did not form part of Welwyn Hatfield's development plan and it was not a Supplementary Planning Document.
- 3.3 The Welwyn Hatfield BNG Guidance Note was endorsed by Cabinet on 5 September 2023 and authority was delegated to the Assistant Director (Planning) in consultation with the Executive Member for Planning, to update the Guidance Note as required, with

further report detailing subsequent changes to be reported back to CPPP before 1 March 2024.

- 3.4 At the time of preparing the Welwyn Hatfield BNG Guidance Note, the Welwyn Hatfield Local Plan 2016-2036 had not yet been adopted and further legislation and national guidance was awaited to clarify how the mandatory requirement for BNG, which was expected to come into force in November 2023, would be applied in practice.
- 3.5 The intention had been to await the publication of secondary legislation and national guidance and then review and update the Welwyn Hatfield BNG Guidance Note as appropriate.
- 3.6 However, on the 27 September 2023, the government announced a delay to the commencement of mandatory BNG, pushing its introduction back to January 2024, (small sites from April 2024)¹. It also announced that it would publish all guidance and regulations by the end of November 2023.
- 3.7 The timetable for mandatory BNG was then delayed again. The requirement came into force for major development on 12 February 2024, small sites from 2 April 2024.
- 3.8 Between November 2023 and April 2024, government departments (DLUHC and DEFRA) published and updated a range of national guidance on BNG. National Planning Practice Guidance (PPG) was published on 14 February 2024 and the DEFRA BNG 'collection' currently comprises twenty-five guidance notes / BNG tools².
- 3.9 Due to the delay in statutory commencement and the numerous ongoing updates to the extensive collection of national guidance on BNG, it was not possible to review the implications or make any changes to the Welwyn Hatfield Guidance Note, and report back to CPPP prior to 1 March. However, in order to assist interested parties, a note was added to the inside cover to signpost government websites on this matter.

How do existing local policies apply following the introduction of mandatory BNG³

- 3.10 National Planning Practice Guidance on BNG clarifies the role of local policy in decision-taking. Key matters to note include the following:

"[...] The statutory provisions are an important material consideration that in many cases will take precedence over local planning policy. The statutory framework represents the appropriate national approach towards, and benchmark for, biodiversity gains in planning.

A local policy, for instance, which required a gain of at least 10% from new developments in anticipation of the statutory framework should no longer apply when determining applications for planning permission subject to biodiversity net gain, although it may continue to be a material consideration during a transition period and for other types of planning permission not yet subject to the statutory framework. [...]

Decision makers should not give weight to local policy which requires biodiversity gains for types of development which would now be exempt under the statutory framework. Other local biodiversity policies which require specific enhancements to support biodiversity would continue to apply to these applications where appropriate."

- 3.11 As a consequence, that part of policy SADM 16 (Ecology and Landscape) of the Welwyn Hatfield Local Plan 2016-2036, which specifically requires all development that is not otherwise exempt to deliver a measurable biodiversity net gain of at least 10%, (in anticipation of mandatory BNG, and as referred to in paragraphs 12.53 and 12.54 of the Local Plan) has been superseded by the statutory framework and should no longer be taken into account when determining planning applications that are subject to mandatory BNG.

¹ <https://www.gov.uk/government/news/biodiversity-net-gain-moves-step-closer-with-timetable-set-out>

² [Biodiversity net gain - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/biodiversity-net-gain)

³ Paragraph: 020 Reference ID: 74-020-20240214

- 3.12 The policy SADM 16 ‘net gain’ requirement in has been, and will be, a material consideration in the determination of planning applications for [major] development⁴ that were submitted prior to mandatory BNG coming into force (the policy requirement for small sites had been aligned with the requirement for mandatory BNG from April 2024, so did not come into effect). Other parts of policy SADM 16 will continue to be applied.
- 3.13 The government is responsible for the statutory framework and for publishing national policy and guidance as to how the mandatory requirement for BNG will apply. It is not necessary for the council to duplicate the provisions of the statutory framework and the associated national guidance.

How should plan-makers deal with biodiversity net gain?

- 3.14 The PPG states⁵:

“[...] Plan-makers [...] do not need to include policies which duplicate the detailed provisions of this statutory framework. It will also be inappropriate for plans or supplementary planning documents to include policies or guidance which are incompatible with this framework, for instance by applying biodiversity net gain to exempt categories of development or encouraging the use of a different biodiversity metric or biodiversity gain hierarchy. [...]

- 3.15 The Welwyn Hatfield BNG Guidance Note is out of step with the statutory framework and associated national guidance and should no longer be taken into account in decision making for planning applications where BNG is required. Information available at the national level negates the need for local guidance which seeks to duplicate this.

Local Plan Review

- 3.16 In accordance with Policy SP 2 of the Welwyn Hatfield Local Plan, the Council is required undertake a review of the Local Plan commencing no later than one year after the adoption of the plan. An updated or replacement plan is to be submitted for examination no later than three years after the date of adoption of the plan. The timetable and scope of a Local Plan Review will be the subject of reports to this Panel in due course.
- 3.17 The Panel is asked to note that it is through a Local Plan Review that a locally specific BNG policy could be considered. A local BNG policy may have linkages with wider strategic objectives and the overall place-making strategy for the authority, e.g., to recreation and health, flood risk alleviation, or the more comprehensive climate emergency ambitions of a council. It is also through the Local Plan Review that a higher percentage than the statutory objective of at least 10% BNG can be explored.
- 3.18 Among other matters, the PPG says the following with regards to plan-making⁶, which will be taken into account as part of the Local Plan Review:

“[...] Plan-makers can complement the statutory framework for biodiversity net gain by, for instance, including policies which support appropriate local offsite biodiversity sites, including whether specific allocated sites for development should include biodiversity enhancements to support other developments meet their net gain objectives in line with Local Nature Recovery Strategies.

Plan-makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified. To justify such policies, they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher

⁴ Not otherwise exempt

⁵ Paragraph: 006 Reference ID: 74-006-20240214

⁶ Paragraph: 006 Reference ID: 74-006-20240214

percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented.”

Council motion

- 3.18 At a meeting of the Council on 12 October 2023 a motion was passed in relation BNG, an update on the progress towards the motion is set out at Appendix 1

Implications

4 Legal Implications

- 4.1 National Planning Practice Guidance (PPG) on BNG sets out the statutory framework for biodiversity net gain.
- 4.2 In England, BNG is required under [Schedule 7A \(Biodiversity Gain in England\) of the Town and Country Planning Act 1990](#), (inserted by Schedule 14 of the Environment Act 2021, and amended by the Levelling Up and Regeneration Act 2023). The Biodiversity Gain (Town and Country Planning) (Consequential Amendments) Regulations 2024 made consequential amendments to other parts of the 1990 Act.
- 4.3 Biodiversity net gain regulations most directly relevant to planning are:
- [The Environment Act 2021 \(Commencement No. 8 and Transitional Provisions\) Regulations 2024 \(legislation.gov.uk\)](#)
 - [The Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#)
 - [The Biodiversity Gain \(Town and Country Planning\) \(Modifications and Amendments\) \(England\) Regulations 2024](#)
 - [The Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#).
- 4.4 In addition, there are regulations for the Biodiversity Gain Site register established under [section 100 of the Environment Act 2021](#) for registered offsite biodiversity gains.

5 Financial Implications

- 5.1 There are no direct financial implications arising from this report.

6 Risk Management Implications

- 6.1 The previous report to CPPP in August 2023 explained that the introduction of mandatory BNG and associated activities is outside the control of the council and a risk of delay was noted.
- 6.2 Officers have reviewed the implications of mandatory BNG as introduced, together with national Planning Practice Guidance in relation to the Welwyn Hatfield BNG Guidance Note and Local Plan policy, as set out in this report.

7 Security & Terrorism Implications

- 7.1 There are no security and terrorism implications arising from this report.

8 Procurement Implications

- 8.1 There are no procurement implications arising from this report.

9 Climate Change Implications

- 9.1 Biodiversity loss and climate change are inextricably linked. ‘*Hertfordshire’s State of Nature*’ report (2020)⁷ indicates that climate change is likely to have played a part in

⁷ [State of Nature | Herts and Middlesex Wildlife Trust \(hertswildlifetrust.org.uk\)](#)

wildlife declines, affecting the availability of foods, hibernation patterns, population sizes, distribution and range. The link is also highlighted in the UK State of Nature Report 2023⁸.

- 9.2 The council's Climate Action Plan⁹ is aligned to its Climate Strategy. There are several action plan points on biodiversity, including developing local plan policies that protect and enhance ecological networks and biodiversity assets, the implementation of biodiversity net gain, and purchasing ecological advice from Hertfordshire County Council to inform planning decisions.
- 9.3 The Hertfordshire Climate Change and Sustainability Partnership consists of all ten district and borough councils, the county council and the Local Enterprise Partnership in Hertfordshire¹⁰. It has a number of priority Strategic Action Plans, including one for Biodiversity, which responds to continuing declines in species and habitat, intending to take action to restore and enhance biodiversity across Hertfordshire, including by protecting and enhancing biodiversity through the planning system.
- 9.4 The Welwyn Hatfield Trees and Woodland Strategy 2018-2023 promotes urban tree cover to offset the negative impacts of living in an urban environment and climate change. BNG may present opportunities that contribute towards increasing urban tree cover in the borough, either within development sites or off-site, where appropriate. The Council's Tree and Woodland Strategy will be subject to review and consultation in 2024.

10 Policy Implications

- 10.1 The Policy implications of this report are set out in the main body of the report. The Welwyn Hatfield Local Plan 2016-2036 was adopted by the Council in October 2023. Among other matters, Policy SADM 16 (Ecology and Landscape) of the Local Plan requires "*All developments that are not otherwise exempt to deliver a measurable biodiversity net gain of at least 10%.*"
- 10.2 Since the introduction of mandatory BNG and associated national guidance, the Government has now made it clear that, a local policy which required a gain of at least 10% from new developments in anticipation of the statutory framework should no longer apply when determining applications for planning permission subject to biodiversity net gain.
- 10.3 That part of SADM 16 will therefore no longer apply to relevant applications submitted from the commencement of the statutory requirements for BNG.

11 Human Resources Implications

- 11.1 There are no Human Resources Implications arising from this report.

12 Link to Corporate Priorities

- 12.1 The subject of this report is linked to the Council's recently agreed Corporate Priorities including 'Action on Climate Change', specifically increase and promote biodiversity.

Equalities and Diversity

- 12.2 The report does not propose changes to existing Welwyn Hatfield Borough Council service-related policies or the development of new service-related policies. Accordingly, an Equalities Impact Assessment has not been completed.

⁸ [TP25999-State-of-Nature-main-report_2023_FULL-DOC-v12.pdf \(stateofnature.org.uk\)](#)

⁹ [Climate Change Strategy – Welwyn Hatfield Borough Council \(welhat.gov.uk\)](#)

¹⁰ [Hertfordshire Climate Change and Sustainability Partnership \(hccsp.org.uk\)](#)

Appendices:

Appendix 1: Council Motion 12 October 2023 Update

Appendix 1

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity. This following is an update on the progress towards the motions passed by the Council on 12th October 2023.

1. *Encourage biodiversity net gain on site in the first instance, to maximise the potential benefit for nature and for communities and only consider off-setting of biodiversity net gain in exceptional circumstances.*

At the time of the motion, legislation and national guidance was awaited to clarify how the mandatory requirement for BNG, which was expected to come into force in November 2023, would be applied in practice. Between November 2023 and April 2024, government departments (DLUHC and DEFRA) have published and updated a wide range of national guidance on BNG.

There is no requirement under the statutory framework to demonstrate '*exceptional circumstances*' for biodiversity off-setting and it is inappropriate for plans or supplementary documents to include policies or guidance which are incompatible with framework, e.g., by encouraging the use of a different biodiversity gain hierarchy.

The Biodiversity Gain Hierarchy has been designed for the purpose of the statutory framework for the discharge of the Biodiversity Gain condition to reflect the habitat categories in the biodiversity metric and the type of ways that the objective of at least a 10% gain can be achieved. Planning authorities must take into account how the Biodiversity Gain Hierarchy has been applied, or if it has not been applied the reason for that or absence of a reason, when determining whether to approve the Biodiversity Gain Plan

The Biodiversity Gain Hierarchy has a specific meaning and effect, as set out in Articles 37A and 37D of the Town and Country Planning (Development Management Procedure) (England) Order 2015. This hierarchy, (which does not apply to irreplaceable habitats and is different from the mitigation hierarchy set out in paragraph 186a of the NPPF) sets out a list of priority actions:

- First, in relation to onsite habitats which have a medium, high and very high distinctiveness (a score of four or more according to the statutory biodiversity metric), the avoidance of adverse effects from the development and, if they cannot be avoided, the mitigation of those effects; and
- Then, in relation to all onsite habitats which are adversely affected by the development, the adverse effect should be compensated by prioritising in order, where possible, the enhancement of existing onsite habitats, creation of new onsite habitats, allocation of registered offsite gains and finally the purchase of biodiversity credits.

2. *Carry out a review into the practicalities of establishing a local list of sites suitable for biodiversity projects with the joint aims of:*

- a) Providing biodiversity projects within the Borough so that a proximity requirement for off-site BNG can be considered.***
- b) Facilitating a higher net biodiversity gain than the statutory 10% for new developments from the implementation of any new Local Plan or local plan review.***

Planning Practice Guidance on BNG (14 February 2024) sets out that "*Plan-makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified. To justify such policies, they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on*

viability for development. Consideration will also need to be given to how the policy will be implemented.”

Through the Local Plan Review, a Call for Sites can be carried out with the objective of identifying areas of land that may present local opportunities for biodiversity net gain. However, any higher percentage that may be considered through a Local Plan policy must be assessed as part of the wider consideration of the impact of Local Plan policies on development viability, and must be justified by the evidence of the need for a higher percentage.

As landowner, putting forward potential biodiversity projects that will allow the Council to provide biodiversity Units. This review will need to consider resources, legal implications and best practice from other areas with a report to CPPP and cabinet within 6 months to enable the effect of national legislation to be understood.

- ***The review will consider the implications of putting out a call for biodiversity projects.***
- ***Consider the inclusion of projects from the council's own property.***
- ***Put these recommendations to the most relevant committee(s) when produced.***

As set out above, the Local Plan review provides the opportunity to issue a 'Call for Sites' inviting landowners and land managers to identify and put forward areas of land that might be suitable for local offsite biodiversity sites. Officers consider that this would be the most effective way of putting out a call for biodiversity sites; to do so separately would have resource implications and detract from the work that the planning policy team are currently doing.

The Council as a landowner can identify land that it considers might be suitable and put this forward through the Call for Sites process at the appropriate time. This is again considered the most effective way of the Council considering what land as landowner could be put forward, and ensures that any Council-owned sites can be considered alongside other sites across the Borough, securing a more effective outcome.

Matthew Wilson
Planning Policy and Implementation Manager

WELWYN HATFIELD BOROUGH COUNCIL
CABINET PLANNING & PARKING PANEL – 20 JUNE 2024
REPORT OF THE ASSISTANT DIRECTOR - PLANNING

HOUSING DELIVERY TEST ACTION PLAN (2024)

1 Executive Summary

- 1.1 The Government published the 2022 housing delivery test results in December 2023, which relate to the three-year period 2019/20– 2021/22. When measured against the newly adopted requirement, the Council delivered 1,283 homes against the 1,971 homes required, resulting in a Housing Delivery Test result of 65%. This means that the Council is again required to prepare an updated Action Plan in order to assess the causes of under-delivery and identify actions to increase delivery in future years.

2 Recommendation(s)

- 2.1 That the Cabinet Planning and Parking Panel recommends to Cabinet that the Housing Delivery Test Action Plan be approved for publication. If unanimously agreed by the Panel, for the decision to be taken by the executive member using their delegated powers under paragraph 18.1(b) of the Cabinet procedure rules.

3 Explanation

- 3.1 The Housing Delivery Test (HDT) is an annual measure of the delivery of housing in a local authority area, which compares 'total net homes delivered' against the 'number of homes required' over a rolling three-year period. The government published the 2022 Housing Delivery Test results in December 2023, which relate to the three-year period 1st April 2019 – 31st March 2022. The published results showed that Welwyn Hatfield had delivered 57% of homes against its target for the three-year period. However, the number of homes required was calculated against the standard methodology. Welwyn Hatfield adopted its Local Plan on 12th October 2023 and therefore the new housing requirement figure can be used to re-calculate the housing delivery test result, in line with planning practice guidance.
- 3.2 When measured against the newly adopted requirement, the Housing Delivery Test result improves slightly to 65% (confirmed by the Department for Levelling Up, Housing & Communities). The calculation includes adjustments made to the requirement to account for disruptions to housing delivery during the covid-19 pandemic. An 8-month period has been used in the calculation of the requirement for 2020/21 and an 11-month period for 2019/20.

Table 1: Welwyn Hatfield Housing Delivery Test 2022

Number of homes required			Total required	Number of homes delivered			Total delivered	HDT 2022 Measurement
2019/20	2020/21	2021/22		2019/20	2020/21	2021/22		
699	509	764	1,971	673	352	258	1,283	65%

3.3 This Housing Delivery Test result has three consequences:

- As delivery has fallen below 95% of the requirement, the Council needs to prepare an updated action plan to assess the causes of under-delivery and identify actions to increase delivery in future years.
- As delivery has fallen below 85% of the requirement, the Council should include a 20% buffer to its five-year housing land supply.
- As delivery has fallen below 75%, the Council is required to continue to apply the presumption in favour of sustainable development when determining planning applications.

3.4 Following the recent update to the NPPF in December 2023 - as the Council has an adopted Local Plan which is less than five years old, and that plan identified a housing supply of over five years at the point the examination concluded - the Council is not currently required to provide an annual update on its five-year housing land supply. Therefore, the requirement to add a 20% buffer to the five-year supply is not currently relevant for Welwyn Hatfield.

3.5 An updated Action Plan has been prepared and is included as an Appendix to this report. The Action Plan highlights that delays to the Local Plan examination have been a barrier to progressing delivery of housing in recent years. The recent adoption of the Local Plan now means that an increasing number of allocated sites are progressing through the planning system (many of which now already have planning permission, with some now completed).

3.6 However, despite the permissioned housing supply improving, it may be some time before this results in an improvement to the HDT result. This is because the housing delivery test is a retrospective rolling three-year calculation, in addition the lead-in time between planning permission being granted and completions on site is generally 2 to 3 years. Therefore, even with more housing sites being granted planning permission, the shortfall is expected to continue in the short to medium term.

3.7 The Action Plan also highlights that one of the main delays in time taken to grant planning permission for major sites is the lengthy negotiation of S106 legal agreements. The Council is currently preparing a Community Infrastructure Levy (CIL) which should be a faster and more efficient process as negotiations are not on a case-by-case basis. It is noted that some larger sites will still require S106 agreements to be completed.

3.8 The Action Plan sets out a number of actions, some of which have been carried forward from the 2022 Housing Delivery Test Action Plan, in summary, they are:

- Determine applications for Local Plan housing site allocations as fast as reasonably possible.
- Where planning applications for Local Plan site allocations have not yet been received, write to landowners/developers inviting initial discussions and/or to understand any delays in sites coming forward.
- Progress implementation of Community Infrastructure Levy (CIL).
- Amendments to the structure of the Development Management service to be more responsive to the progression of the largest and most significant planning applications.
- Apply the presumption in favour of sustainable development when determining planning applications for housing schemes.
- Continue to consider the necessity of planning conditions for housing permissions.
- Continue to discharge planning conditions for housing schemes as fast as reasonably possible.
- Continue to devise, submit and determine corporate applications for new housing.

Implications

4 Legal Implication(s)

- 4.1 The preparation of a Housing Delivery Test Action Plan is in accordance with national planning legislation and paragraph 79 of the National Planning Policy Framework (NPPF).
- 4.2 As well as helping to identify and assess causes of under delivery of housing over previous years, the Action Plan also helps to identify actions to increase delivery in future years which may be helpful to demonstrate that the Council is attempting to do so in respect of future planning decisions and appeals.

5 Financial Implication(s)

- 5.1 The preparation of the Housing Delivery Test Action Plan has been met within existing budgets. The actions themselves are not considered to have direct financial implications.

6 Risk Management Implications

- 6.1 The publication of the Action Plan demonstrates the Council is seeking to tackle under delivery and identifying actions to improve delivery in the future, which will assist in respect of future planning decisions and appeals.

7 Security & Terrorism Implication(s)

- 7.1 There are no security and terrorism implications associated with this report.

8 Procurement Implication(s)

8.1 There are no procurement implications associated with this report.

9 Climate Change Implication(s)

9.1 There are no direct climate change implications associated with this report.

10 Link to Corporate Priorities

10.1 The subject of this report is linked to the Council's recently agreed corporate priority "Homes to be proud of".

11 Health and Wellbeing

11.1 There are no health and wellbeing implications arising as a result of publishing the Housing Delivery Test Action Plan.

12 Human Resources

12.1 There are no human resources implications arising as a result of publishing the Housing Delivery Test Action Plan.

13 Communications and Engagement

13.1 The Action Plan is required to be published on the Council website. There are no further communication and engagement implications arising as a result of publishing the Housing Delivery Test Action Plan.

14 Equality and Diversity

14.1 An EqIA was not completed because this report does not propose changes to existing service related policies or the development of new service related policies.

Appendices:

Appendix 1 – Housing Delivery Test Action Plan (2024)



Housing Delivery Test Action Plan

June 2024

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1. Introduction

1.1 The Housing Delivery Test (HDT) is an annual measure of the delivery of housing in a local authority area, which compares 'total net homes delivered' against the 'number of homes required' over a rolling three-year period.

1.2 The HDT was introduced in the 2018 update to the National Planning Policy Framework (NPPF). Paragraph 79 of the most recent NPPF sets out the policy consequences that apply where delivery has fallen below the requirement:

“a) where delivery falls below 95% of the requirement over the previous three years, the authority should prepare an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years;

b) where delivery falls below 85% of the requirement over the previous three years, the authority should include a buffer of 20% to their identified supply of specific deliverable sites as set out in paragraph 77 of this framework, in addition to the requirement for an action plan.

c) where delivery falls below 75% of the requirement over the previous three years, the presumption in favour of sustainable development applies, as set out in footnote 8 of this Framework, in addition to the requirements for an action plan and 20% buffer.”

1.3 The government published the 2022 Housing Delivery Test results on 19 December 2023, which relate to the three-year period 1st April 2019 – 31st March 2022. The results indicate that Welwyn Hatfield delivered 57% of homes against its target for the three-year period. However, the number of homes required was calculated against the standard methodology requirement. Welwyn Hatfield adopted its Local Plan on 12th October 2023 and therefore the new housing requirement figure can be used to re-calculate the housing delivery test result, in line with paragraph 18 of the Housing Delivery Test Measurement Rulebook.

1.4 When measured against the newly adopted requirement, the Housing Delivery Test result improves slightly to 65% (confirmed by the Department for Levelling Up, Housing & Communities). The calculations include adjustments made to the requirement to account for disruptions to housing delivery during the covid-19 pandemic, as outlined in the 2022 measurement technical note. An 8-month period has been used in the calculation of the requirement for 2020/21 and an 11-month period for 2019/20.

Table 1: Welwyn Hatfield Housing Delivery Test 2022 (published result – 19/12/23)

Number of homes required			Total required	Number of homes delivered			Total delivered	HDT 2022 Measurement
2019/20	2020/21	2021/22		2019/20	2020/21	2021/22		
794	583	878	2,255	673	352	258	1,283	57%

Table 2: Welwyn Hatfield Housing Delivery Test 2022 (calculated against the adopted housing requirement)

Number of homes required			Total required	Number of homes delivered			Total delivered	HDT 2022 Measurement
2019/20	2020/21	2021/22		2019/20	2020/21	2021/22		
699	509	764	1,971	673	352	258	1,283	65%

1.5 As the result is below the 75% threshold, all three policy consequences would apply. However, following the recent update to the NPPF in December 2023 - as the Council has an adopted Local Plan which is less than five years old, and that plan identified a housing supply of over five years at the point the examination concluded - the Council is not currently required to provide an annual update on its five-year housing land supply. Therefore, the requirement to add a 20% buffer to the five-year supply is not currently relevant for Welwyn Hatfield.

1.6 However, the Council is still required to produce an updated Housing Delivery Test Action Plan and, as the HDT result remains below the 75% threshold, paragraph 11 d of the NPPF remains engaged. This means, for decision-making, that permission should be granted unless:

- “i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

1.7 This Housing Delivery Action Plan is the fourth produced by the Council and aims to identify the reasons for under-delivery of housing in recent years as well as setting out measures to improve delivery in future years.

2. Borough Context

- 2.1 Welwyn Hatfield is located centrally within Hertfordshire and covers an area of approximately 130 square kilometres (12,954 hectares). The borough is bordered by Hertsmere to the south, St Albans to the west, North Hertfordshire to the north, and East Hertfordshire and Broxbourne to the east. The borough also has a short border with the London Borough of Enfield to the south. The population of Welwyn Hatfield at the time of the 2021 Census was 119,900 persons (ONS).
- 2.2 Over three quarters of the borough is designated as part of the Metropolitan Green Belt, reflecting the borough's extensive countryside in such close proximity to London. The towns and villages within the borough are tightly constrained by the Green Belt which has a significant impact on the amount of land in the borough that is available for housing development. The recently adopted Welwyn Hatfield Local Plan removed some land from the Green Belt where exceptional circumstances existed in order to assist in meeting the borough's objectively assessed housing need. This is discussed further in section 3.
- 2.3 The median house price in Welwyn Hatfield for the year ending September 2023 was £435,000. Whilst much higher than the national (£285,000) and regional (£340,000) figures, house prices remain slightly below the median figure for Hertfordshire (£452,500). The relationship between house prices and income allows a further understanding of housing affordability. The Office for National Statistics workplace based ratio figures for 2023 show that median house prices (£435,000) were 10.88 times median earnings (£39,994). This was a slight improvement compared with the revised figure for 2022 which indicated house prices were 11.16 times earnings.

3. Welwyn Hatfield Local Plan

- 3.1 The Welwyn Hatfield Local Plan 2016-36 was adopted at a meeting of the Council on 12th October 2023 and is now the Statutory Development Plan for the Borough, replacing the previous plan which comprised of 'saved' policies from the 2005 Welwyn Hatfield District Plan.
- 3.2 The Local Plan examination identified a Full Objectively Assessed Housing Need (FOAHN) for the borough of 15,200 dwellings between 2016 and 2036 (an average of 760 dwellings per annum). Between 1st April 2016 and 31st March 2023, 3,218

dwellings had already been delivered. The plan identified opportunities on specific sites in and around the towns and excluded villages to facilitate the delivery of 9,343 dwellings between 2023/24 and 2032/33 and 13,400 dwellings over the plan period 2016-36. Opportunities to meet the remaining need will be the subject of an early review of the plan, to commence within one year from adoption.

- 3.3 Having taken into account the supply of housing through completions, urban capacity, sites with planning permissions and a windfall allowance, the Council concluded that a strategy that would constrain housing growth to sites within the borough's urban areas would mean that there would be a significant shortfall of housing when considered against the Objectively Assessed Need. Therefore, achieving sustainable development within the borough without imposing on the Green Belt has been unavoidable and Green Belt boundaries have been amended, where exceptional circumstances existed. On adoption of the Local Plan 312.1 ha of land was removed from the Green Belt, with the total proportion of the borough in the Green Belt now at 76.7% (previously 79.1%).
- 3.4 The current shortfall in completions, as reported in the HDT results, is expected given that the Local Plan was only recently adopted. A number of allocated sites now have planning permission, with some already delivering completions; of the 8,406 dwellings allocated in the Local Plan, 3,728 (44%) have either completed, have full or outline planning permission or are awaiting S106 agreement. A further number of sites have planning applications submitted.
- 3.5 Where planning applications for Local Plan site allocations have not yet been received the Council intends to write to landowners and developers inviting initial discussions and/or to understand any delays in sites coming forward.

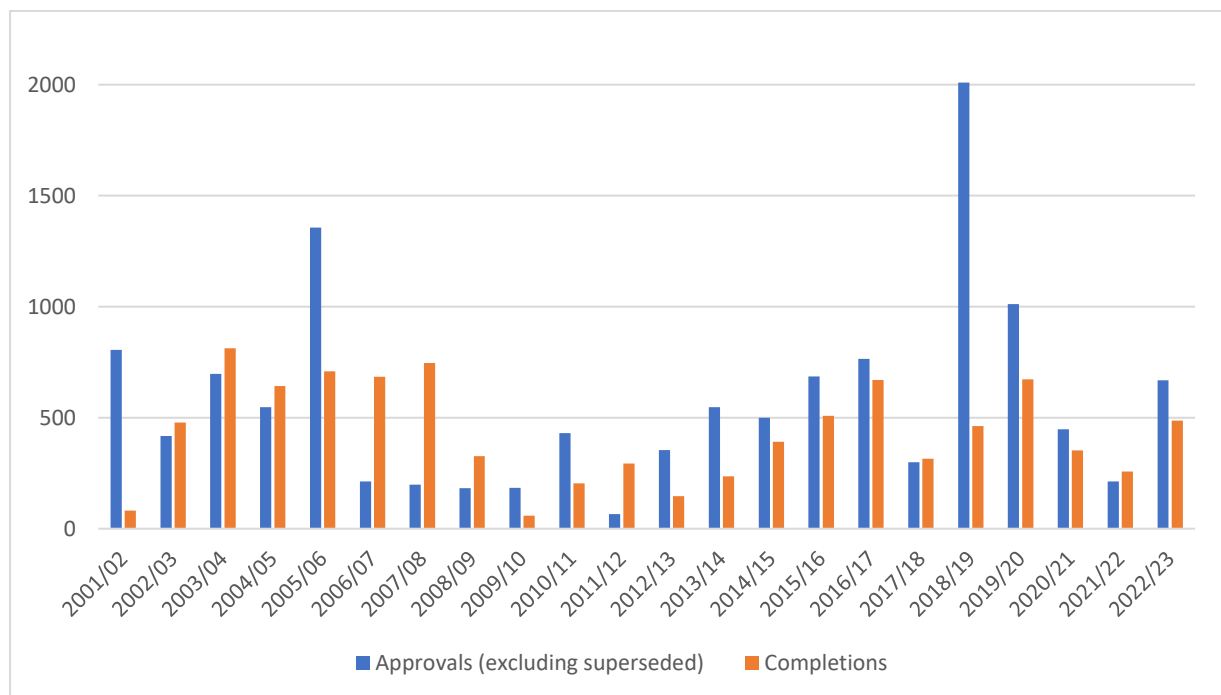
4. Past Housing Delivery and Future Housing Supply

- 4.1 The chart on the next page shows housing completions and approvals over the last 20 years. The period between 2003-2008 when completions were reasonably high (averaging above 700 dpa) was when the majority of the Hatfield Aerodrome redevelopment took place. Alongside this strategic site, a number of other medium and smaller sites came forward (including both District Plan allocations and windfall sites) resulting in higher delivery rates.

4.2 In recent years delivery has been averaging around 450 dwellings per annum. The higher levels of completions in 2016/17 and 2019/20 were a result of student housing completions (where this was communal accommodation a dwelling equivalent allowance was made in line with planning guidance).

4.3 In terms of permissions granted, the high number of approvals in 2018/19 and 2019/20 relate to permissions for two strategic sites: Broadwater Road West (SDS3) for 1,403 dwellings and an outline permission at North East of WGC (SDS1) for 650 dwellings. There were also a high number of approvals in 2022/23 (668 dwellings), which included 289 dwellings at the BioPark (part of the strategic site SDS3) which was granted at appeal. The approval of these sites means that there are now a significant number of dwellings in the supply with planning permission.

Figure 1 - Historic Completions and Permissions Granted in Welwyn Hatfield



4.4 The current permissioned housing supply (as at 31 March 2024) amounts to 3,693 dwellings across 154 sites. A further 753 dwellings across 4 sites have been granted permission subject to S106 agreement. The two strategic sites SDS3 - Broadwater Road West (the former Shredded Wheat factory site) and SDS1 - North East of WGC (Panshanger) make up just under half of this supply. Both are complex sites and whilst they have had permission for some time progress has been slower than previously anticipated.

Table 3 - Total housing sites with planning permission - as at 31 March 2024

	Permission Granted		Under Construction		Total Supply	
	Dwellings	Sites	Dwellings	Sites	Dwellings	Sites
Full permission	812	90	2,142	57	2,954	147
Outline permission	739	7	N/A	N/A	739	7
Total with permission	1,551	97	2,142	57	3,693	154
Awaiting s106 agreement	N/A	N/A	N/A	N/A	753	4
Total including sites awaiting s106 agreement	1,551	97	2,142	57	4,446	158

SDS3 - Broadwater Road West (Former Shredded Wheat Site) Update

- 4.5 This strategic Local Plan site accounts for a large proportion of the current permissioned housing supply. The site has a complex history and was initially granted planning permission for a residential led mixed use scheme in 2017. A subsequent application for a higher density scheme (including 1,340 dwellings plus 114 extra care bedspaces) was submitted in 2018 and granted permission in early 2019. This permission remains extant.
- 4.6 Since the planning permission was granted, the southern side of the site was acquired by Metropolitan Thames Valley Housing Association (MTVH), therefore splitting ownership into two parts known as the 'South site' (owned by MTVH) and 'North site', (then owned by The Wheat Quarter Ltd).
- 4.7 In early 2021, two further planning applications were submitted for increased schemes at both the South site and the North site. These applications have not been determined.
- 4.8 In November 2022, due to insolvency, a receiver was appointed for the northern part of the site. Meanwhile on the southern part of the site, the first 208 housing completions were delivered in December 2022 by MTVH under the extant (2018) planning permission. However, following these initial completions further delivery at the site has been constrained by complications associated with the phasing of the scheme and how it interacts with the delivery of development on the northern half of the site. The northern part of the site has now been bought out of receivership (early in 2024) and the Council is working with the new owner to progress the scheme as soon as possible.

SDS1 - North East Welwyn Garden City (Panshanger) Update

- 4.9 The Draft Local Plan submission proposed the allocation of this site as part of a major urban extension, with a target provision of 650 new homes supported by infrastructure including a new school. During the Local Plan examination hearing

sessions in June 2018 the Local Plan Inspector observed that the council could consider bringing forward a larger area for residential development. The capacity at this site allocation was subsequently increased to 872 dwellings through main modifications.

- 4.10 Meanwhile an outline planning application was granted permission in February 2020 for 650 dwellings (phase one). The site was acquired by Homes England, the Government's housing accelerator, in March 2020.
- 4.11 A further outline application for an additional 210 dwellings to the North of phase one was received in October 2021 and subsequently approved subject to s106 agreement in July 2023.
- 4.12 An application submitted for reserved matters for construction of spine road and related highways including supporting drainage, infrastructure and landscaping works is currently awaiting determination.
- 4.13 Homes England are the single landowner of the site and are preparing the site for development, including completing the planning stages (outline consents) and core infrastructure – such as the spine road running through the site. Demolition of buildings and structures on site is underway (April 2023). The site was marketed (September 2023) and a developer has since been appointed. The Council is continuing to work with the owner to progress the scheme as envisaged in the adopted Local Plan.

5. Planning performance and s106 agreements

- 5.1 The Government sets monitoring targets for 70% of 'major' applications to be determined within 13 weeks and for 60% of 'minor' and 'other' applications to be determined within 8 weeks, although these timescales can be extended in agreement with the applicant. Councils can be designated as failing if they do not meet or exceed these targets over a two-year rolling period.
- 5.2 For clarification, 'majors' are schemes of 10+ homes or 1,000+ sqm of new floor area, 'minors' are schemes of up to 9 homes or 999 sqm of new floor area and 'others' include householder, listed building and advertisement proposals. The planning team also deal with a significant number of 'non-countable' applications such as prior approvals, discharge of conditions, as well Welwyn Garden City estate management applications.

5.3 In the two-year period from 1 April 2022 to 31 March 2024, the council determined 93% of majors, 89% of minors and 95% of 'others' within these set timescales or within timescales agreed by extension. For applications that were refused, these proportions were slightly lower, however still met the set targets.

Table 4- Proportion of Applications Determined within Timescales 1 Apr 2022 – 31 Mar 2024

Apr 22 – Mar 24	Determined		Approved		Refused		Declined to Determine
	Total	Within Timescale	Number	Within Timescale	Number	Within Timescale	Number
Majors	41	93%	34	94%	7	86%	0
Minors	310	89%	227	95%	83	72%	0
Others	1,563	95%	1,228	97%	335	88%	2

5.4 A large number of applications have extensions agreed on these timescales, for major applications determined in the two years this was around 87% of applications, while for minor applications this was 65%. Looking at the most common reasons for agreeing time extensions for major permissions, these were 'further information awaited' (31%), 'legal agreement awaiting completion' (31%) and 'awaiting the result of negotiations' (15%).

5.5 Looking at the average time taken to determine major applications which were subsequently granted consent over the past two years, this was 12.3 months. This figure was slightly higher as a result of a small number of applications which took significantly longer due to lengthy legal agreements. However, the median figure was still 10.5 months.

5.6 Whilst timely decisions are favourable, extensions can be beneficial where they allow the resolution of any outstanding issues rather than the potential refusal of the application. In response to receiving an increasing number of major applications at Local Plan site allocations, the Council is currently making changes to its Development Management team structure to try and ensure that the service is as well placed as it can be to deal with major and more complex applications most efficiently and within the constraints of the resources available.

Planning Obligations/Community Infrastructure Levy

5.7 As mentioned in paragraph 5.5, one of the main delays in granting planning permission for major sites is the negotiation of lengthy S106 legal agreements. The Council is

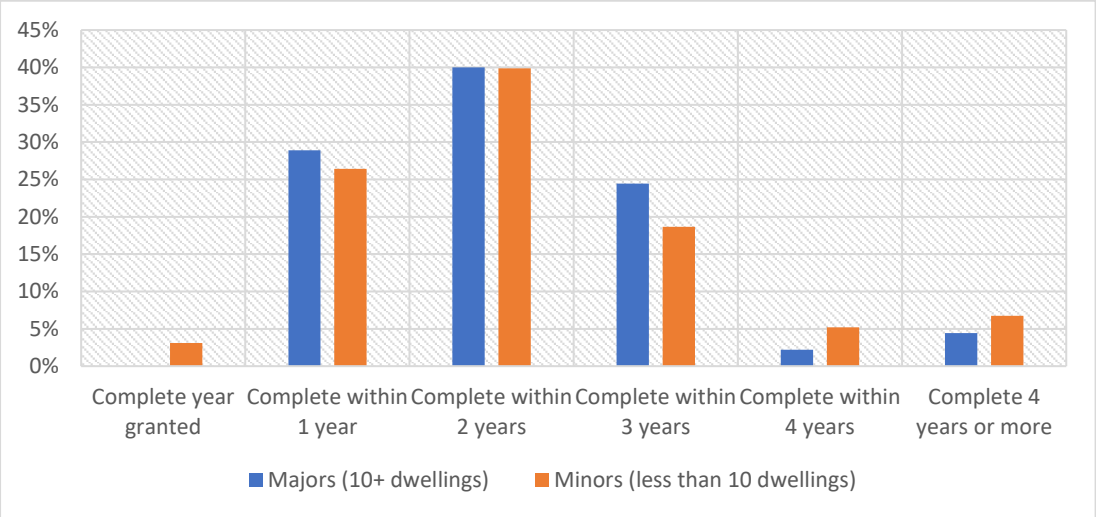
currently preparing a Community Infrastructure Levy (CIL), by which it will be able to collect money from developers to fund all types of infrastructure within the borough, and which will reduce the need for S106 agreements. CIL works on a tariff-based approach based on the type and floorspace of new development. As well as being considered fairer and more transparent, CIL should be faster than the current system which generally works on a case-by-case basis.

5.8 The Council originally prepared a ‘Preliminary Draft Charging Schedule’ which was consulted upon in 2017. This informed the ‘Draft Charging Schedule’ which was subject to further consultation in 2020. However, delays to the Local Plan adoption meant that work to further progress CIL had been put on hold until recently. Following adoption of the Local Plan in October 2023, the Council commissioned a new viability analysis, and a consultation was carried out in January – February 2024. Once these responses have been considered the next step will be to submit CIL for examination later in 2024.

6. Time taken to complete housing sites

6.1 Where sites are not owned by the Council, once planning permission has been granted there is a limited amount that the Council can do to speed up delivery. Looking at housing sites which completed in the Borough between 2017 and 2023, 69% of these sites completed within 2 years of planning permission being granted, while 89% completed within 3 years. For those that took longer, most were actually minor applications. Although there were also some major permissions which formed part of larger sites, therefore delivery was over a longer period.

Figure 2: Number of years taken for sites to complete following planning permission being granted



- 6.2 Once planning permission is granted, landowners/developers often submit revised schemes which then need to go through the planning approval process again, therefore leading to delays in commencement and delivery. Often planning permission is sought by a land promoter before being sold to a developer. Or in recent years permitted development for office to residential conversions has established the principle of development before a planning application for a revised scheme is submitted. Around 20% of residential permissions granted over the last five years were for applications which superseded previous permissions.
- 6.3 In terms of non-implementation of planning permissions granted for housing, the proportion of lapsed permissions for Welwyn Hatfield has historically been low. For permissions granted in the eight years from 1 Apr 2013 - 31 March 2021, only 4% of total dwellings granted permission have since lapsed. However, this does not necessarily mean that a site was not developed, as some go on to submit subsequent applications after the previous permission had lapsed.

7. Delivery of Housing on Council owned land

- 7.1 The Council continues to develop its own land holdings in order to increase the supply of housing and has progressed and completed a number of its own schemes since the last published action plan including:
- Minster House, Hatfield – this site was completed in 2023/24, resulting in an overall net gain of 50 dwellings.
 - High View, Hatfield – this site completed in 2023/24, resulting in a net gain of 140 dwellings.
 - 1-9 Town Centre, Hatfield – this site completed in 2023/24, resulting in a net gain of 71 dwellings.
 - Link Drive, Hatfield – this site was granted planning permission in August 2022 and work is now underway. The scheme will result in a net gain of 80 dwellings.
 - Smaller schemes at Ludwick Way and the Commons in Welwyn Garden City completed in 2022/23, resulting in a net gain of 10 dwellings. A further three small sites were granted permission in 2022/23 which will amount to a net gain of 25 dwellings.
- 7.2 The Council is part of the Hatfield 2030+ Renewal Partnership which has prepared a Development Framework and other documents to help identify suitable sites for new housing and other types of development. This has assisted in bringing forward a number of the sites in Hatfield mentioned above.

7.3 In Welwyn Garden City, the Council is leading on a programme of development in the Town Centre which will include the provision of new homes. The first step of this programme was the new Campus West Car Park which completed in 2022/23 and will assist in freeing up the Campus East Car Park for residential development. A planning application was submitted in December 2022 in relation to this site for just over 300 new homes and is currently awaiting determination.

8. Anticipated Future HDT Results

- 8.1 Whilst the government has not yet published the 2023 Housing Delivery Test result it is anticipated that the result for Welwyn Hatfield for the three years 1st April 2020 – 31st March 2023 will be 54%, with 1,097 homes completed against the requirement of 2,037 homes.
- 8.2 Provisional completions data for 2023/24, indicates completions are expected to be around 350 dwellings. Therefore, completions for the three years ending 31 March 2024 would total around 1,095 against a requirement of 2,292. The HDT result for 2024 would therefore be expected to be just under 50%.

Table 5: Future HDT results forecast

	2022 (published)	2023 (forecast)	2024 (forecast)
	3 years ending 31 March 22	3 years ending 31 March 23	3 years ending 31 March 24
Annual Requirement	764	764	764
Annual Completions	258	487	350 (estimate)
Rolling 3 years HDT Requirement	1,972	2,037	2,292
Rolling 3 Years Completions	1,283	1,097	1,095
HDT Test Result	65%	54%	48%

- 8.3 With the Local Plan only recently adopted the current shortfall is to be expected, particularly given a number of Green Belt sites which were awaiting adoption of the plan before progressing with planning applications. The lead-in time between planning permission being granted and first dwelling completions is generally 2-3 years, meaning it will take some time before sites recently being granted permission result in an improvement in the Housing Delivery Test result. Therefore, there is expected to be shortfall in the short-medium term.

9. Conclusions

- 9.1 The Council is continuing to progress a number of developments and redevelopments of its own sites in order to assist in providing much needed homes in the borough. However, there are ultimately a limited number of sites in the Council's ownership, therefore there is a large dependency on the private sector for housebuilding.
- 9.2 Delays to the Local Plan examination have been a barrier to progressing delivery of housing in recent years. The borough is highly constrained by the Green Belt and there are limited options for housing to come forward without an allocation in a development plan.
- 9.3 The recent adoption of the Local Plan means that an increasing number of allocated sites are progressing through the planning system (many of which now already have planning permission, with a small number of allocations now completed). However, despite the permissioned housing supply improving, it may be some time before this results in an improvement to the HDT result. This is because the housing delivery test is a retrospective rolling three-year calculation. In addition, the lead-in time between planning permission being granted and completions on site is generally 2 to 3 years. Therefore, even with more housing sites being granted planning permission, the shortfall is expected to continue in the short to medium term.
- 9.4 Whilst the Council is meeting time frames for determining planning applications, the average length of time to determine these is often longer than these targets due to agreed extensions. However, whilst timely decisions are favourable, extensions can be beneficial where they allow the resolution of any outstanding issues rather than the potential refusal of an application. Lengthy S106 agreement negotiations have been identified as a reason for delay in granting planning permission. The Council is currently working to progress CIL, which should be a faster and more efficient process as negotiations are not on a case-by-case basis.
- 9.5 Once the Council has granted planning permission there is a limited amount that it can do to speed up delivery. However, the majority of housing sites do complete within 3 years of planning permission being granted and permission lapse rates for housing sites in Welwyn Hatfield have historically been low.
- 9.6 Whilst recognising the need for new homes in Welwyn Hatfield, it remains important to ensure that housing development is sustainable, high quality and respects adjoining land uses and its surroundings. Now that the Council has an adopted Local Plan, the focus going forward will be in progressing Local Plan housing allocations through the

planning system as fast as is reasonably possible. The actions, aimed at improving housing delivery in Welwyn Hatfield, are set out and reviewed on the next page.

Review of Housing Delivery Test Actions

Welwyn Hatfield Borough Council's last action plan was published in August 2022 and set out a number of actions which were carried forward from previous HDT action plans. These actions have been reviewed in the table below.

	2022 Action	Progress/Review	2024 Action
1	Progress the adoption of the Local Plan	As discussed in section 3, the Welwyn Hatfield Local Plan 2016-36 was adopted in October 2023. The plan identified opportunities to facilitate the delivery of 9,343 dwellings between 2023/24 and 2032/33 and 13,400 dwellings over the plan period. An increasing number of sites allocated for development in the plan now have planning permission granted or have planning applications submitted. The focus will now be on progressing site allocations swiftly through the planning application process in order to deliver much needed homes. The planning status of all sites allocated in the Local Plan is set out in Appendix 1.	New action: Determine planning applications for Local Plan housing site allocations as fast as reasonably possible. New Action: Where planning applications for Local Plan site allocations have not yet been received, write to landowners/ developers inviting initial discussions and/or to understand any delays in sites coming forward.
2	Continue to determine planning applications for housing schemes as fast as reasonably possible	In the two-year period from 1 April 2022 to 31 March 2024, the council determined 93% of majors, 89% of minors and 95% of 'others' within set timescales or within timescales agreed by extension. See section 5 for further detail.	New Action: Amendments to the structure of the Development Management service to be more responsive to the progression of the largest and most significant planning applications.
3	Apply the presumption in favour of sustainable development when determining planning applications for housing schemes	Presumption in favour of sustainable development is being applied in the determining of planning applications.	Action carried forward
4	Continue to consider the necessity of planning conditions for housing permissions	The Council continues to consider the necessity of planning conditions for housing permissions.	Action carried forward
5	Continue to discharge planning conditions for housing schemes as fast as reasonably possible	The Council continues to discharge planning conditions as fast as reasonably possible.	Action carried forward
6	Continue to prepare S106 agreements as fast as reasonably possible/Work with HCC to prepare S106 agreements involving contributions for their services as fast as reasonably possible	As discussed in paragraph 5.8 and 5.9, the Council is currently preparing Community Infrastructure Levy (CIL), which will use a tariff-based approach set based on type and floor space of new development. This should be faster than the current system (s106 agreements) which generally work on a case-by-case basis.	New Action: Progress implementation of Community Infrastructure Levy (CIL)
7	Continue to devise, submit and determine corporate applications for new housing	The Council has progressed a number of its own schemes since the last published action plan, as discussed in section 7.	Action carried forward
8	Work with Hertfordshire Growth Board to identify funding opportunities for accelerated housing delivery sites		

Appendix 1 – Local Plan Site Allocations Monitoring

Local Plan Ref	Site Name	Local Plan Capacity	With permission	Application Reference	Status	Comments
SDS1	North-East of WGC	872	650 (outline) +210 awaiting S106	6/2018/0873/OUTLINE 6/2021/3096/OUTLINE	Outline permission granted /Awaiting S106	Outline permission granted for 650 dwellings in February 2020, further outline subject to completion of S106 agreement for additional 210 dwellings in July 2023. The site was acquired by Homes England, the Government's housing accelerator, in March 2020. Application for reserved matters for construction of spine road and related highways including supporting drainage, infrastructure and landscaping works currently awaiting determination.
SDS2	South-East of WGC (Birchall Garden Suburb)	600		6/2022/1395/OUTLINE	Under Consideration	An outline planning application has been submitted to both Welwyn Hatfield Borough Council and East Herts District Council for development to total 2,650 dwellings. However, the submitted planning application involves a site and quantum of development that exceeds the Local Plan allocation, and the outcome of this application is not yet known. A masterplan has now been agreed by the Council to guide the development of the site allocated in the adopted Local Plan.
SDS3	Broadwater Road West (N), WGC	1,403	1,403	6/2018/0171/MAJ	Full permission granted	This site has an extant planning permission for 1,340 residential dwellings plus 114 extra care homes. The first 208 homes completed in 2022/23 at the southern side of the site.
SDS3	Bio Park, Broadwater Rd, WGC	289	289	6/2020/3420/MAJ	Full permission granted	This site was granted permission at appeal in August 2022. Discharge of conditions for demolition works (May 2023).
SDS3	Broadwater Road West (SW) – Pall Mall, WGC	171				This site is expected to deliver later in the plan period
HS2	Creswick, WGC	340	340 - awaiting s106 (hybrid)	6/2022/1375/MAJ	Awaiting S106	Hybrid planning application including full permission for 97 dwellings and 243 at outline was approved subject to S106 agreement in March 2023. Currently still awaiting S106 agreement.
HS3	80 Bridge Road East, WGC	32				This site is expected to deliver later in the plan period
HS4	Ratcliff Tail Lift Site, WGC	110	110	6/2018/3110/MAJ	Site Completed	Site complete 2023/24
HS5	Hyde Valley House, WGC	13	13	6/2018/3233/OUTLINE 6/2021/1388/RM	Site Completed	Site complete 2023/24
HS6	Land at Gosling Sports Park, WGC	100				This site is expected to deliver later in the plan period
HS7	WGC Town Centre North, WGC	100				This site is expected to deliver later in the plan period
HS8	St Michaels House, Holwell Road, WGC	22				This site is expected to deliver later in the plan period
HS12	Town Centre North-Campus East, WGC	250		6/2022/2801/MAJ	Under Consideration	A full planning application was submitted in December 2022 for 313 dwellings. This application is still currently awaiting determination.

Local Plan Ref	Site Name	Local Plan Capacity	With permission	Application Reference	Status	Comments
HS31	YMCA, 90 Peartree Lane, WGC	29	29 (Outline)	6/2019/2714/OUTLINE	Outline permission granted	
HS34	Neighbourhood Centre, Hollybush Lane, WGC	16				This site is expected to deliver later in the plan period
SDS5	North-West Hatfield	1,750				Masterplanning process currently underway.
HS36	1-9 Town Centre, Hatfield	71	71	6/2019/2430/MAJ	Site Completed	Site complete 2023/24
HS37	High view (Hilltop) SPD Site, Hatfield	140	140	6/2019/1067/MAJ	Site Completed	Site complete 2023/24
HS9	Land at Onslow St Audrey's School, Hatfield	86	86	6/2017/1641/MAJ	Full permission granted	Under construction
HS10	Garages at Hollyfield, Hatfield	8	8	6/2021/2492/FULL	Full permission granted	Under construction
HS11	Land at Southway, Hatfield	120		6/2023/1532/OUTLINE	Under Consideration	An outline planning application was submitted in July 2023 and is currently under consideration.
HS13	Land S of Filbert Close, Hatfield	39	39	6/2019/2162/OUTLINE 6/2022/0356/RM	Full permission granted	Under Construction
HS14	L Kahn Manufacturing, Wellfield Road, Hatfield	62				This site is expected to deliver later in the plan period
HS38	Meridian House, The Common, Hatfield	11				
HS39	Link Drive (Site F), Hatfield	80	80	6/2019/2431/MAJ	Full permission granted	Under construction
HS40	Lemsford Road (Site H), Hatfield	32				
HS41	Minster Close, Hatfield	50	50	6/2019/2086/MAJ	Site Completed	Site complete 2023/24
HS42	College Lane, Hatfield	115				This site is expected to deliver later in the plan period.
HS15	Land east of London Road, Woolmer Gr	150		6/2023/2552/OUTLINE	Under Consideration	Outline application submitted in December 2023 and is currently under consideration.
HS43	51-53 London Road, Woolmer Gr	34				This site is expected to deliver later in the plan period
HS16/HS17	2 Great North Road, O&MH/Land rear of 2a-12 Great North Road, O&MH	25				Application withdrawn relating to part of this allocation (6/2022/1889/OUTLINE).
HS32	Four Oaks, Gt North Rd, O&MH	6		6/2016/0270/VAR	Under Consideration	
HS18	The Vineyards, Welwyn	30			Application Withdrawn	A full planning application was submitted in July 2023 however, was since withdrawn in November 2023 (6/2023/1381/MAJ).

Local Plan Ref	Site Name	Local Plan Capacity	With permission	Application Reference	Status	Comments
HS19	Sandyhurst, The Bypass, Welwyn	37	36	6/2020/3418/MAJ	Full permission granted	
HS20	School Lane, Welwyn	9		6/2022/2890/FULL	Under Consideration	Full planning application submitted in December 2022
SDS7	Marshmoor, Wel Green	100				Masterplanning process currently underway
HS35	Foxes Lane, Dixons Hill Rd, Wel Green	12		S6/2013/2118/FP	Under Consideration	
HS44/45	51 Welham Manor, Wel Green	16	7	6/2023/0894/FULL	Full permission granted	Permission granted for lower number (7 dwellings)
HS44/45	Land South of Wel Manor, Wel Green	68				
HS46	Dixons Hill Road, Wel Green	120				This site is expected to deliver later in the plan period
HS21	Land west of Golf Club Rd, Brookmans Park	14		6/2023/1221/OUTLINE	Under Consideration	
HS23	Land east of Golf Club Road, Brookmans Park	10				
HS22	Land West of Brookmans Park Station, Brookmans Park	428				
HS24	Land N of Hawkshead Rd, Little Heath	35	34	6/2021/3304/MAJ	Full permission granted	
HS47	Part of Studlands/Videne, Little Heath	63		6/2022/2317/MAJ	Full permission granted	
HS26	36 The Ridgeway and land to the rear, Cuffley	5	5	6/2018/2863/FULL	Site completed	Site completed 2023/24
HS27	Land at The Meadway, Cuffley	60		6/2024/0105/MAJ	Under Consideration	Application for 73 dwellings submitted in January 2024
HS28	Land south of Northaw Road East, Cuffley	121	121	S6/2015/1342/PP 6/2022/1774/RM	Reserved Matters permission granted	Under construction
HS29	Land North of Northaw Road East, Cuffley	73				
HS30	Wells Farm, Northaw Road East, Cuffley	75		Part of site: 6/2020/3451/MAJ	Under Consideration	Application relates to previously developed part of this site, for 14 dwellings.
HS33	Barbraville, Hertford Road nr. Mill Green, Rural South	4				

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