

Cabinet Planning and Parking Panel  
17 September 2024

WELWYN HATFIELD COUNCIL

\* Reporting to Cabinet

Minutes of a meeting of the WELWYN HATFIELD COUNCIL CABINET PLANNING AND PARKING PANEL held on Tuesday 17 September 2024 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors R.Platt (Chair)  
L.Gilbert (Vice-Chairman)  
  
K.Thorpe, S.Bonfante, S.Goldwater, T.Kingsbury,  
G.Michaelides, L.Musk, S.Thusu, P.Shah, M.Hobbs  
and J.Quinton

OFFICIALS  
PRESENT: C Carter, Assistant Director (Planning)  
M.Wilson, Planning & Policy Implementation Manager  
R.Misir, Senior Democratic Services Officer

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128. APOLOGIES & SUBSTITUTIONS

There were no apologies for absence.

129. MINUTES

The minutes of the meeting held on 15 August 2024 were approved as a correct record.

130. NOTIFICATION OR URGENT BUSINESS TO BE CONSIDERED UNDER ITEM 7

There were no items of urgent business.

131. DECLARATION OF INTERESTS BY MEMBERS

There were no declarations of interest.

132. PUBLIC QUESTION TIME AND PETITIONS

There were no public questions or petitions.

133. PROPOSED RESPONSE TO NATIONAL PLANNING FRAMEWORK CONSULTATION

The Planning and Policy Implementation Manager introduced the report and took the meeting through a presentation. The government was consulting on a range of changes to the National Policy Planning Framework (NPPF) and the deadline for responses was 24 September 2024. The consultation was essentially in two parts: a track changed version of the current NPPF with a series of minor amendments and alongside that, a document setting out proposed reforms and some other changes to the planning system. The consultation invited views on both.

The NPPF set out the government's planning policies and how they should be applied; essentially it was the framework within which locally prepared plans could provide for sufficient housing and other developments in a sustainable manner. Planning law required that applications for planning applications be determined in accordance with a development plan (typically the Local Plan unless material conditions indicated otherwise) and was a material consideration in planning decisions. The main part of the consultation covered housing needs and targets, and a key change to the draft NPPF included a new standard methodology for calculating local housing need using a baseline set at a percentage of existing housing stock levels and an affordability calculator being applied. The new standard methodology was meant to underpin the government's ambition to deliver 1.5m homes over this Parliament. The government was also seeking to reinstate the requirement for all local authorities to demonstrate a five year housing land supply so Welwyn Hatfield would again have to demonstrate this. The duty to cooperate between councils and other organisations was being strengthened, including new cross-boundary strategic planning. There would be a requirement for local planning authorities to review the green belt when a local authority could not meet its identified housing, commercial or other needs without altering green belt boundaries and for Welwyn Hatfield this would likely mean doing more work on green belt assessments. For plan making and decision making purposes, it was proposed that a grey belt be introduced (land in the green belt that comprised previously developed land and any other areas of green belt land that made a limited contribution to the five green belt purposes).

In terms of planning for climate change, the new draft NPPF would require local plans to identify suitable areas for renewable and low carbon energy sources. The proposed amendments stated that local planning authorities should support planning applications for all forms of renewable and low carbon developments and, when determining applications, should give significant weight to the proposals' contributions and a net zero future.

In terms of funding and charging for planning applications, the draft consultation proposed that householder application fees increase from £258 to £528 and sought views on this. The consultation also sought views on full localisation of planning fees and local variation from a default national fee.

Local plans should be prepared against the revised version of the NPPF. It had been intended that the new plan making system as set out in the Levelling Up

and Regeneration Act be introduced in 2024 but it now seemed likely to take effect from summer or autumn 2025 which meant the new Welwyn Hatfield Local Plan would progress under the current planning system with a deadline for the plan submission of December 2026.

The following points were made in the discussion:

- The Chair asked about the procedure for making amendments to the Welwyn Hatfield response as the deadline was imminent. The Assistant Director (Planning) advised he had delegated authority; it was intended to note what was said at the meeting and include that in the response in consultation with the Executive Member for Planning.
- A member queried whether the response to question 2 (removing reference to the use of alternative approaches to assessing housing need in paragraph 61 and the NPPF glossary) should be to disagree rather than partially agree, given there would be circumstances when an alternative approach was justified. Officers took the point; the government was saying the standard method could cause delays and officers felt this was a blunt tool and it was important to be clear.
- Question 23 was about the proposed definition of grey belt land. A member said that it sounded from wider comments as though there could be add-ons to a development which meant that further green belt on the edge of the development risked becoming grey belt. Officer noted clarity in the NPPF was needed in respect of the grey belt and what it meant for decision making and plan making.
- Question 35 was about whether the 50% target for affordable housing should apply to all green belt areas or whether lower targets could be set in low land value areas. A member asked whether this would be difficult in terms of viability. Officers agreed and would elaborate on this in the Welwyn Hatfield response. A member noted the appendix to the NPPF referenced changing land values which would change the viability, hence the 50% affordable housing target. Officers noted this had been discussed at length in the planning press.
- A member commented that local energy schemes could not sell their electricity to the grid but only to those who had signed up to the scheme. It would be useful to provide a comment to the effect that changes to the Energy Act were needed to remedy this. Officers said this could be factored into the response.
- Question 78 asked how national planning policy could do more to address climate change. A member felt the question was vague and that more could be added to the response to emphasise the requirement of plans to comply with the Climate Change Act; officers agreed.
- A member reflected on the importance of affordable housing with green spaces; currently, families in need of affordable homes tended to have homes without gardens (flats and small dwellings) and the Council should be clear it needed family homes.
- A member felt that the government was probably aware of what it intended to do and would probably ask for a new local plan. It would be helpful to have a diagram with figures from about 1990 onwards showing

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how many homes there were, the population and associated infrastructure.

- A member noted both the increased householder fees and the move towards a net zero future and asked whether household planning applications with green measures such as solar panels or heat pumps could be exempt from fees. Officers advised that anything requiring planning permission placed a financial and administrative burden on the Council and householder planning applications had effectively been subsidised by local authorities because the fees were so low.
- A member observed that paragraph 3.12 of the report stated it was possible the potential provision of affordable homes might give greater weight to proposals contrary to the strategy of the development plan making it easier for speculative development, and asked how that might work. Officers noted this was in context of the government trying to drive housing development forward; having a plan in place and a five year land supply meant councils were less susceptible to speculative development.
- A member asked whether there was a danger that deleting the requirement for at least 10% of affordable homes to be for affordable home ownership might result in less affordable home ownership. Officers responded that the potential benefit envisaged for deleting the requirement was that it increased the availability of socially rented homes which was the most pressing housing need. The member reflected that it was a judgement call between affordable home ownership and affordable rented housing.
- A member asked why there was a proposal to delete exemption from having to continually demonstrate a five year housing supply when a local authority had an up to date plan that met relevant criteria. Officers explained the previous government had introduced a number of changes in 2023, one of which was that local authorities with adopted local plans did not have to demonstrate a five year housing land supply. The changes did not remove the pressure that came from the housing delivery test so officers believed the current government's intention was to reapply that pressure to encourage delivery and the development of local plans.
- A member referenced question 67 which asked about changes proposed to paragraph 100 of the NPPF; the response said in part that 'It would also be useful to have data on need to assist in weighting.' The member felt this should be a requirement. Officers agreed to revisit the wording of the proposed response.
- A member noted question 70 referred to promoting healthy communities and tackling childhood obesity, recognised this was discretionary and noted the need for green open spaces in addressing this. Officers said they recognised the local plan could already achieve a lot and it was about whether additional hooks were required under the NPPF; it was in the gift of a council through its local plan to look at work to tackle issues such as childhood obesity.
- A member asked for clarity in respect of question 37 (whether the government should set indicative benchmark land values for land released from or developed in the green belt), given that land in different

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green belt areas would have different values. Officers believed the government was looking to set what it considered an acceptable level while taking account of what that land would do; a benchmark land value would presumably take account of the cost of delivering affordable housing and associated infrastructure as it needed to be pitched at a level that would encourage landowners to sell. It was unclear whether land would have different values in different places and officers would look again at the response to the question.

- A member noted the proposal to delete references to 'beautiful' buildings and places given this was subjective and officers added that there would be opportunities through the local plan to update policies and protect what was important in the borough. The Chair noted the use of 'well designed' in relation to buildings and places was also subjective. Officers advised that tools like the National Design Guide had ways of determining if something was well-designed.
- Question 9 asked whether it was agreed that planning authorities should be required to add a 5% buffer to their five year housing land supply calculations and the proposed response said a small buffer should be added although this was likely to be challenging. The Chair asked if this was realistic. Officers would revisit this; Welwyn Hatfield was currently failing its housing delivery test as it had not been building to its housing target in the last three years which meant a buffer had to be applied. In 2023 the NPPF had introduced a slightly different buffer and the consultation was looking at this being amended. There was a benefit in planning for a buffer as not all sites expected to come forward at any one point would do so and it was important to push for more than just the minimum to be delivered in any one period.

#### RESOLVED

The Panel:

- (a) Noted the draft consultation response; and
- (b) Delegated authority to the Assistant Director (Planning) in consultation with the Executive Member for Planning to approve the Council's final response to the consultation and to answer the relevant questions in the consultation document.

Meeting ended at 8.21 pm