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Please ask for:  
Gurdip Paddan

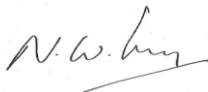
\* Reporting to Cabinet

25 October 2017

Dear Councillor

You are requested to attend a meeting of the WELWYN HATFIELD BOROUGH COUNCIL CABINET PLANNING AND PARKING PANEL to be held on Thursday 2 November 2017 at 7.30pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

Yours faithfully



Executive Director  
Public Protection, Planning and Governance

**AGENDA**  
**PART 1**

1. **SUBSTITUTIONS:**

To note any substitution of Committee Members in accordance with Council Procedure Rules 19 – 22.

2. **APOLOGIES:**

3. **MINUTES:**

To confirm as a correct record the Minutes of the meeting held on 5 October 2017 (previously circulated).

4. **NOTIFICATION OR URGENT BUSINESS TO BE CONSIDERED UNDER ITEM 9**

5. **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.

6. PUBLIC QUESTION TIME AND PETITIONS:

Up to fifteen 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.

7. HERTSMERE LOCAL PLAN ISSUES AND OPTIONS CONSULTATION: (Pages 5 - 16)

Report of the Executive Director (Public Protection, Planning and Governance) which sets out the main planning issues facing Hertsmere as it looks to meet the need for growth, and examines different approaches, or options, for how to best provide for growth.

8. DCLG CONSULTATION: PLANNING FOR THE RIGHT HOMES IN THE RIGHT PLACES: (Pages 17 - 22)

Report of the Executive Director (Public Protection, Planning and Governance) on the consultation document called *Planning for the Right Homes in the Right Places* which seeks to take forward proposals in the Housing White Paper.

9. SUCH OTHER BUSINESS AS, IN THE OPINION OF THE CHAIRMAN, IS OF SUFFICIENT URGENCY TO WARRANT IMMEDIATE CONSIDERATION:

10. EXCLUSION OF THE PRESS AND PUBLIC:

The Committee 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 11 (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**

11. ANY OTHER BUSINESS OF AN EXEMPT NATURE AT THE DISCRETION OF THE CHAIR:

<u>Circulation:</u>	Councillors	S.Boulton (Chairman)	A.Chesterman
		M.Perkins (Vice-Chairman)	M.Cowan
		D.Bennett	C.Gillett
		H.Bromley	G.Hayes
		N.Chapman	P.Shah

Executive Board  
Press and Public (except Part II Items)

**If you require any further information about this Agenda please contact G Paddan  
democracy@welhat.gov.uk 01707 357349, Governance Services Unit on 01707  
357349 or email – g.paddan@welhat.gov.uk**

WELWYN HATFIELD BOROUGH COUNCIL  
CABINET PLANNING AND PARKING PANEL – 2 NOVEMBER 2017  
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

HERTSMERE LOCAL PLAN ISSUES AND OPTIONS CONSULTATION

**1. Executive Summary**

- 1.1 Hertsmere Borough Council (HBC) has begun the process of preparing a new Local Plan. It is carrying out an “Issues and Options” consultation which seeks views on how the Plan should approach providing for growth in homes, jobs and infrastructure that are required in the next 15 years. The consultation report sets out the main planning issues facing Hertsmere as it looks to meet the need for growth, and examines different approaches, or options, for how to best provide for growth.
- 1.2 Whilst the consultation report does not contain draft policies or detailed proposals, there are a number of strategic issues of relevance to Welwyn Hatfield. As neighbouring boroughs Welwyn Hatfield and Hertsmere have a legal ‘Duty to cooperate’ on cross-boundary strategic issues. This report identifies the strategic issues which arise from the consultation report and summarises the proposed response including detailing any actions which are considered necessary for the Council to discharge its legal duties. The proposed response to the consultation report is set out in full in Appendix A.

**2. Recommendation(s)**

- 2.1 That the panel agrees the proposed response to Hertsmere’s Issues and Options consultation report which is explained in the report and set out in full in Appendix A.

**3. Background**

- 3.1 The current Hertsmere Borough Council adopted Local Plan consists of 3 documents: a Core Strategy (2013), the Elstree Way Corridor Area Action Plan (2015) and the Site Allocations and Development Management Policies Plan (2016).
- 3.2 As a condition of adopting the Core Strategy in 2013 Hertsmere were required to carry out an early review of their plan. In line with this requirement, the Council has begun the process of preparing a new Local Plan based on an up-to-date assessment of housing and economic development needs. Hertsmere’s evidence base studies have shown that by 2034 they will need to find homes for 9,000 new homes together with 9000 new jobs. The Issues and Options report has been published for public consultation by Hertsmere and seeks view on how the plan should provide for the growth that is needed over the next 15 years. It sets out the main planning issues facing the borough as it looks to meet the need for growth, and examines different approaches, or options, for how best to provide for growth.

- 3.3 When considering how Welwyn Hatfield should respond to the consultation on HBC's Plan it is necessary to have regard to the Duty to Cooperate. The duty to cooperate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis on planning matters that impact on more than one local planning area. Further, the NPPF sets out the requirement that public bodies should cooperate on planning issues that cross administrative boundaries particularly those which relate to the following strategic priorities:
- The homes and jobs needed in the area.
  - The provision of retail, leisure, and other commercial development.
  - The provision of infrastructure for transport telecommunications, waste management, water supply, wastewater, flood risk and coastal change management.
  - The provision of minerals and energy (including heat).
  - The provision of health, security, community and cultural infrastructure and other local facilities.
  - Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment including landscape.
- 3.4 The duty to cooperate is not a duty to agree. But local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters.
- 3.5 By way of further context to Welwyn Hatfield's proposed response it is important to have regard to the Memorandum of Understanding between Welwyn Hatfield Borough Council and Hertsmere Borough Council, which was signed in May 2017 by the Councils' respective lead members for Planning. This document identifies the strategic issues affecting Welwyn Hatfield and Hertsmere, agrees the approach to future plan reviews and includes a commitment that both authorities will continue to work together consistent with the requirements of the NPPF and the Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011.

#### **4. Explanation**

- 4.1 The Hertsmere Local Plan Issues and Options consultation report is set out in three parts:

**Section 1** – Vision for Hertsmere in the next 15 years: This section sets out a vision statement for Hertsmere together with the proposed priorities for the Plan

**Section 2** – About Hertsmere and the planning issues it faces: This section sets out background information about Hertsmere, identifies that it has a growing and changing population and sets out key planning issues including addressing housing and jobs needs and the requirement to deliver new and/or upgraded infrastructure to support growth.

**Section 3** – Where new development should be built: This section identifies five potential development approaches for supporting growth. These are: redevelopment of urban brownfield sites, growth through new garden suburbs, supporting larger rural communities and growth of key villages, meeting the needs of other villages, and new a new garden village.

- 4.2 Whilst the consultation report does not contain draft policies or detailed proposals, there are a number of strategic issues of relevance to Welwyn Hatfield which require an appropriate consultation response. These are set out below:

Objectively assessed housing need

- 4.3 The consultation report identifies that Hertsmere has an objectively assessed need of approximately 9000 homes over the period 2019 to 2034. This figure is presented as a starting point for exploring potential growth options. This approach is welcomed and Hertsmere's proposal to seek to meet its own growth needs in full is supported.
- 4.4 Following the Government's recent publication of its new proposed approach to identifying local housing needs it is considered appropriate to advise Hertsmere that Welwyn Hatfield supports Hertsmere revisiting its assessment of objectively assessed housing need once the government has issued its finalised methodology and this forms part of national policy and/or guidance.

Unmet need in Welwyn Hatfield

- 4.5 Welwyn Hatfield has identified through the preparation of its Local Plan (currently subject to examination) that it is unable to meet its full objectively assessed housing need. In line with the NPPF and the Localism Act Welwyn Hatfield therefore has a duty to establish whether any neighbouring authorities have capacity to meet its unmet need. Hertsmere's consultation report does not make any reference to the possibility of it meeting the unmet need of neighbouring authorities. In the Memorandum of Understanding between Welwyn Hatfield and Hertsmere, signed in May 2017, it was agreed that both authorities would work together to explore where opportunities exist to accommodate any of the Welwyn Hatfield shortfall against its objectively assessed need both within and beyond the plan period. It is therefore considered appropriate for Welwyn Hatfield to formally request within its consultation response that Hertsmere give consideration to whether it is in a position to meet some or all of the borough's unmet housing needs.
- 4.6 Gypsy and traveller and travelling showpeople needs

The consultation report states that Hertsmere's Plan will need to deliver other types of housing including sufficient pitches for gypsies and travellers and travelling showpeople. The report states that further work is needed to be carried out to establish the number of new pitches required in the Plan. It is considered that this work should be carried out by Hertsmere as a priority so that it can appropriately inform the Plan. In line with the agreement in the Memorandum of Understanding between the two authorities, both authorities have agreed that neither requires assistance from the other to help meet existing assessed needs at the current time. Both authorities have agreed that the matter of transit provision **and** the need for residential pitches to meet need arising from the South Mimms transit site should continue to be discussed between the authorities and recognised in the respective evidence base going forward. Welwyn Hatfield would therefore invite Hertsmere to engage with Welwyn Hatfield in line with the Duty to Cooperate on this matter which has cross boundary implications with Welwyn Hatfield. As the South Mimms transit site serves the whole county, Welwyn Hatfield would also urge Hertsmere to engage with all Hertfordshire districts and the County Council as a key service provider on the matter of transit and other provision.

## Approaches for planning future growth

- 4.7 The consultation report identifies five development approaches for helping deliver growth in Hertsmere. It is considered that approaches 2 and 5 have most potential to impact Welwyn Hatfield.
- 4.8 Approach 2 proposes growth through new garden suburbs with a number of potential locations for development identified around Potters Bar. These locations are not firm proposals at this stage therefore it is not considered appropriate to make specific comments about them in the consultation response. However it is important that Hertsmere gives careful consideration to the infrastructure implications of growth already proposed in the vicinity of Potters Bar. Particular regard should be had to proposed allocations in the Welwyn Hatfield Local Plan at Little Heath, Brookmans Park, Welham Green and Cuffley.
- 4.9 Approach 5 proposes a new garden village west of the A1(M) on an area of land bisected by the M25 (see Appendix B). It is stated that the village would be planned for 4,000 new homes with the scope to increase by at least 50% in the future. The consultation report does not identify a boundary for the proposed village rather it sets out a general area of search. Part of the area for search falls within Welwyn Hatfield. The proposal for a new garden village would involve substantial new development close to, or within the boundary of this borough and therefore has significant implications for Welwyn Hatfield.
- 4.10 It is not considered appropriate to comment in detail on the proposed new garden village at this stage rather it is proposed in the consultation response that a meeting be convened between Hertsmere and Welwyn Hatfield to discuss the emerging proposal. Further, it is necessary to flag up in the response a number of known planning constraints which relate to the area of search. These include North Mymms Park, which is a Grade I Listed Building, North Mymms Park which is an unregistered park and garden identified in Welwyn Hatfield District Plan, and a number of high value ecological sites including Redwell Wood, which is a Site of Special Scientific Interest (SSSI), and a number of other designated wildlife sites.
- 4.11 Notwithstanding the above points, it is considered appropriate to inform Hertsmere in the consultation response that if a proposal did come forward on land which is within Welwyn Hatfield that any housing delivered on this land would be expected to contribute to Welwyn Hatfield's own housing need in the first instance.
- 4.12 Each of the matters listed above has been incorporated into the Council's proposed consultation response which is set out in full at Appendix 1. The response clearly identifies the matters which are considered to fall under the duty to cooperate and makes a number of requests to Hertsmere, notably:
- That it consider whether it has capacity to meet some or all of Welwyn Hatfield's unmet housing need
  - That its assessment of need for gypsy and traveller and travelling showpeople accommodation needs to be updated. Meeting the need for transit provision arising from South Mimms is a county wide matter.
  - That it agree to a meeting with Welwyn Hatfield as a matter of priority to discuss the proposal for a new garden village

- That it have regard to developments already proposed in the vicinity of Potters Bar when assessing available infrastructure to support additional development within or around Potters Bar.

## **5. Legal Implication(s)**

- 5.1 The Duty to Cooperate is a legal requirement, which is taken into account in the examination of Local Plans. Public bodies have a duty under the Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011, to cooperate on the preparation of planning documents so far as they relate to a strategic matter (the Duty to Cooperate). Strategic matters are defined as those that would have a significant impact on at least two planning areas.
- 5.2 Local planning authorities that are unwilling to cooperate and unable to provide robust evidence to support a strategy that does not plan for the unmet requirements of another local planning authority may fail the test of compliance with the Duty to Cooperate or their plan may be found unsound .
- 5.3 The nature and requirements of the Duty to Cooperate are a key consideration in responding to HBC's plan.

## **6. Financial Implication(s)**

- 6.1 There are no specific financial implications arising from this report.

## **7. Risk Management Implications**

- 7.1 There is a risk in not responding to the consultation on the NHDC plan as it raises two areas of possible concern which could have both direct and indirect implications for Welwyn Hatfield.

## **8. Security and Terrorism Implication(s)**

- 8.1 There are no security and terrorism implications arising directly as a result of this report.

## **9. Procurement Implication(s)**

- 9.1 There are no procurement implications arising directly as a result of this report.

## **10. Climate Change Implication(s)**

- 10.1 No climate change implications have been identified resulting from this report. Although clearly proposals for more development will have an impact on climate change and will need to be assessed as part of the sustainability appraisal process accompanying the preparation of the Hertsmere Local Plan.

## **Policy Implications**

- 10.2 There are no direct policy implications arising for Welwyn Hatfield as a result of this report. However it should be noted that the proposed actions in this report support the Council in discharging its duties under the Localism Act (and re-stated in the NPPF) to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.

## **11. Link to Corporate Priorities**

- 11.1 The Council's Business Plan 2015-2018 contains corporate priorities to meet the borough's housing need, help build a strong local economy, protect and enhance the environment and maintain a safe and healthy community. Responding to other authorities' consultations helps this Council to meet these priorities effectively.

## **12. Equality and Diversity**

- 12.1 I confirm that an Equalities Impact Assessment has not been carried out, as this report refers solely to the emerging policy and proposals of another authority.

Bryce Tudball  
Principal Planner  
20 October 2017

## **Appendices**

- Appendix A – Proposed consultation response to Hertsmere Issues and Options consultation report
- Appendix B Area of Search for Garden Village

## **Background Papers**

- Hertsmere Issues and Options consultation report September 2017



## **Appendix A**

### **Proposed response to Hertsmere Local Plan Issues and Options consultation**

Thank you for consulting Welwyn Hatfield Borough Council on the Issues and Options relating to Hertsmere Borough Council's new Local plan.

#### **Objectively assessed housing need**

The consultation report identifies an objectively assessed need of approximately 9000 homes over the period 2019 to 2034. This figure is presented as a starting point for exploring potential growth options. Welwyn Hatfield welcomes this approach and supports Hertsmere seeking to meet its own growth needs in full.

Welwyn Hatfield notes that the Government has published its new proposed approach to identifying local housing needs. Welwyn Hatfield supports Hertsmere revisiting their assessment of their objectively assessed housing need once the Government has issued its finalised methodology and this forms part of national policy and guidance.

#### **Unmet need in Welwyn Hatfield**

Welwyn Hatfield has identified through the preparation of its Local Plan (currently subject to examination) that it is unable to meet its full objectively assessed housing need. In line with the NPPF and the Localism Act Welwyn Hatfield therefore has a duty to establish whether any neighbouring authorities have capacity to meet its unmet need. The consultation report does not make any reference to the possibility of Hertsmere meeting the unmet need of neighbouring authorities. In the Memorandum of Understanding between Welwyn Hatfield and Hertsmere, signed in May 2017, it was agreed that both authorities would work together to explore where opportunities exist to accommodate any of the Welwyn Hatfield shortfall against its objectively assessed need both within and beyond the plan period. Welwyn Hatfield therefore formally requests that as Hertsmere proceed with preparation of a new plan that it give consideration to whether it is in a position to meet some or all of Welwyn Hatfield's unmet housing needs.

#### **Gypsy and traveller and travelling showpeople needs**

The consultation report states that the Local Plan will need to deliver other types of housing including sufficient pitches for gypsies and travellers and travelling showpeople. We note the report states further work is needed to be carried out to establish the number of new pitches required in the Local Plan. Welwyn Hatfield considers that this work should be carried out as a priority so that it can appropriately inform the emerging Plan. In line with the agreement in the Memorandum of Understanding between the two authorities, both authorities have agreed that neither requires assistance from the other to help meet existing assessed needs at the current time. Both authorities have agreed that the matter of transit provision **and** the need for residential pitches to meet need arising from the South Mimms transit site should continue to be discussed between the authorities and recognised in the respective evidence base going forward. Welwyn Hatfield would therefore invite Hertsmere to engage with Welwyn Hatfield in line with the Duty to Cooperate on this matter which has cross boundary implications with Welwyn Hatfield. As the South Mimms transit site serves the whole county, Welwyn Hatfield would also urge Hertsmere to engage with all Hertfordshire districts and the County Council as a key service provider on the matter of transit and other provision.

### Approaches for planning future growth

Welwyn Hatfield notes the five development approaches that are identified in the consultation document. It is considered that approaches 2 and 5 have most potential to impact Welwyn Hatfield.

Approach 2 proposes growth through new garden suburbs with a number of potential locations for development identified around Potters Bar. Welwyn Hatfield has no specific comments about these locations at this stage. Careful consideration will however need to be given to the infrastructure implications of growth already proposed in the vicinity of Potters Bar. Particular regard should be had to proposed allocations in the Welwyn Hatfield Local Plan at Little Heath, Brookmans Park, Welham Green and Cuffley. Welwyn Hatfield supports continued cooperation with Hertsmere Borough Council and other infrastructure providers such as Hertfordshire County Council to ensure that proposed growth in the Potters Bar area is supported by the necessary infrastructure including education facilities, health facilities and community and sporting facilities.

Approach 5 proposes a new garden village west of the A1(M) on land bisected by the M25. It is stated that the village would be planned for 4,000 new homes with the scope to increase by at least 50% in the future. The consultation document does not identify a boundary for the proposed village rather it sets out a general area of search. It is noted that part of the area for search falls within Welwyn Hatfield. The proposal for a new garden village would involve substantial new development close to, or within the boundary of this borough and therefore has significant implications for Welwyn Hatfield. Welwyn Hatfield requests that a meeting with Hertsmere Borough Council be held as a priority to discuss the new garden village proposal and to help ensure that the requirements of the Duty to Co-operate relating to such a strategic proposal are discharged.

Welwyn Hatfield is not in a position to comment in detail on the proposed new garden village at this stage. However we consider it necessary to flag up a number of known planning constraints which relate to the area of search. These include North Mymms Park, which is a Grade I Listed Building, North Mymms Park which is an unregistered park and garden identified in Welwyn Hatfield District Plan, and a number of high value ecological sites including Redwell Wood, which is a Site of Special Scientific Interest (SSSI), and a number of other designated wildlife sites.

Notwithstanding the above points, Welwyn Hatfield wishes to make clear that if a proposal did come forward on land which falls partly within Welwyn Hatfield that any housing delivered on this land would be expected to contribute to Welwyn Hatfield's own housing need.

### Duty to Co-operate

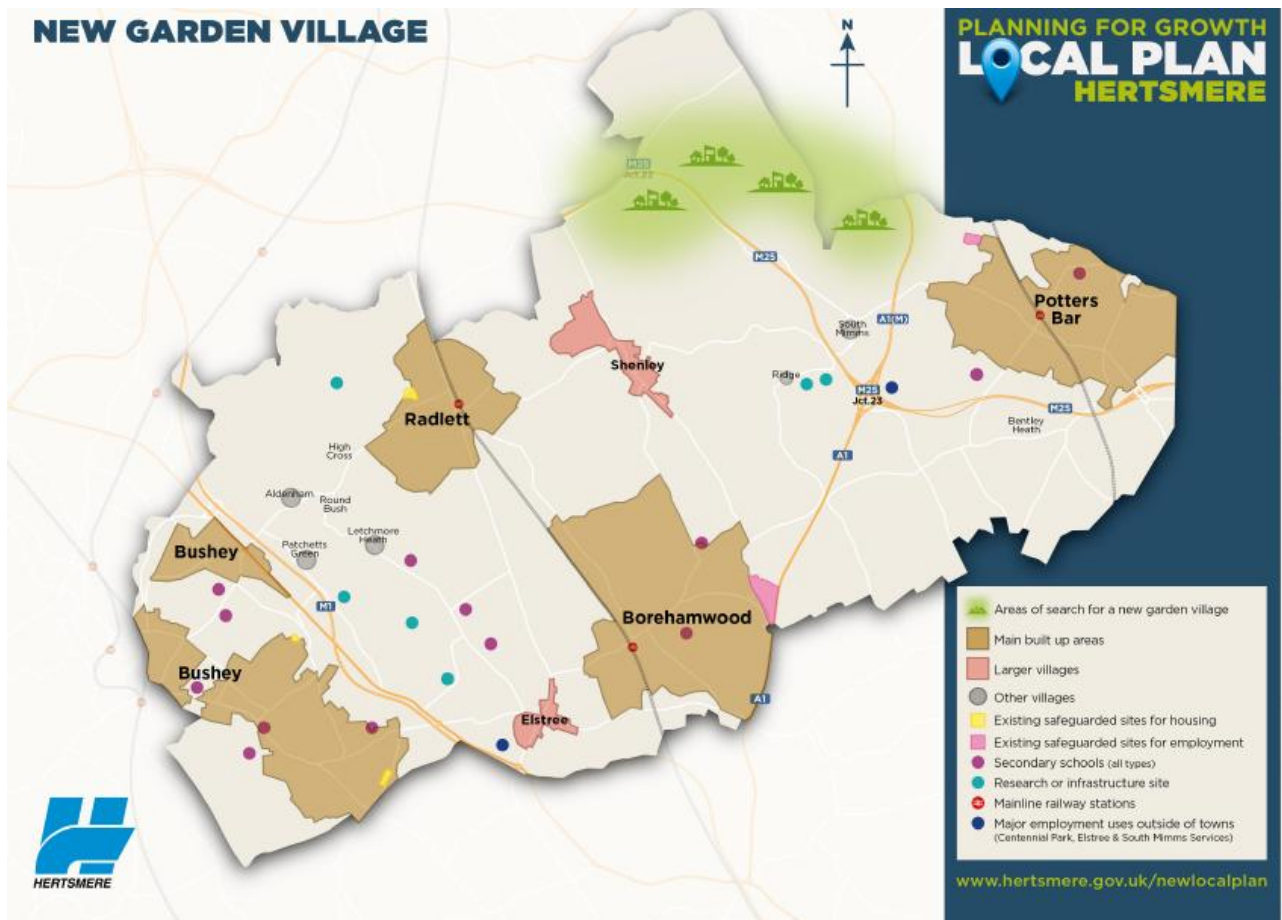
The consultation document raises a number of matters which are considered to fall within the Duty to Cooperate. Welwyn Hatfield welcomes further discussion with Hertsmere on these matters in the near future, in particular regarding:

- whether Hertsmere has capacity to meet some or all of Welwyn Hatfield's unmet housing need
- the infrastructure implications of development proposed in the Potters Bar area (both within Hertsmere and Welwyn Hatfield)
- Provision for Gypsies and Travellers including transit provision

- the wider infrastructure implications of the level of proposed growth across both Welwyn Hatfield and Hertsmere including identifying required infrastructure and addressing funding and delivery challenges
- the proposal for a new garden village in the north of Hertsmere which could involve substantial new development close to, or within the boundary of, Welwyn Hatfield.

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## Appendix B



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Part I  
Item No: 0  
Main author: Colin Haigh  
Executive Member: Cllr Mandy Perkins  
All wards

WELWYN HATFIELD BOROUGH COUNCIL  
CABINET PLANNING AND PARKING PANEL – 2 NOVEMBER 2017  
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

DCLG CONSULTATION: PLANNING FOR THE RIGHT HOMES IN THE RIGHT PLACES

## **1 Executive Summary**

- 1.1 The Government has published a consultation document called *Planning for the Right Homes in the Right Places* which seeks to take forward proposals in the Housing White Paper. These include a standardised methodology for calculating housing need, a requirement to prepare a statement of common ground to aid duty to co-operate engagement with adjoining authorities, criteria for increasing planning application fees by 20% and proposals relating to housing mix, Section 106, viability assessments and neighbourhood planning.
- 1.2 The deadline for responding is 9 November 2017.

## **2 Recommendations**

- 2.1 That Members debate the proposed responses to the consultation document.
- 2.2 That Members authorise the Head of Planning in consultation with the Executive Member for Planning, Housing and Community to submit the Council's response.

## **3 Explanation**

- 3.1 The Government published a Housing White Paper in early 2017 called *Fixing our Broken Housing Market* which set out a wide range of actions to help fix the identified challenges of planning, delivery and affordability. This Panel received a report on its contents in February 2017 and agreed a response in April 2017.
- 3.2 The Government has now published a consultation document called *Planning for the Right Homes in the Right Places* which seeks to take forward some of the proposed actions by revising the National Planning Policy Framework (NPPF) and updating supporting National Planning Guidance.

### A standard methodology for calculating local housing need

- 3.3 The NPPF expects local authorities to start the plan-making process with a clear understanding of the number of new homes needed in their area, using ONS projections adjusted for issues such as employment growth and market signals. The Government now muses that this leaves substantial room for interpretation and that a standard approach would reduce time and costs.

- 3.4 It therefore proposes that ONS household projections over a 10 year period be used as a demographic baseline, which is then adjusted by workplace-based medium house prices to medium earnings (an indicator of the affordability of housing) and then capped based upon local plan status (40% above the local plan target if the authority has adopted their plan in the last five year, or 40% above the ONS household projections if the authority does not have an up-to-date plan, whichever is higher).
- 3.5 The proposed methodology will affect local authorities differently. For illustrative purposes, this would be the effect in the Welwyn Hatfield housing market area:

	Current assessment of need	Housing need based on proposed methodology	Impact of proposed methodology
Welwyn Hatfield	800	877	+10%
East Herts	745	1,111	+49%
North Herts	690	996	+44%
St Albans	639	913	+43%
Enfield	1,695 - 2,400	3,330	+39%
Broxbourne	454	559	+23%
Stevenage	380	443	+17%
Hertsmere	599	372	-38%
Barnet	Not available	4,126	Comparable data not available

- 3.6 The precise calculation for Welwyn Hatfield would be:

a	10 years of household growth 2016-2026	6,263 / 10 = 626 per year
b	2016 Ratio of median house price to median earnings	10.94
c	Difference between median and 4 (DCLG formula)	6.94
d	Adjustment factor	$(6.94 / 4) \times 0.25 = .43375$
e	Local Housing Need formula	$1 + \text{adjustment} = 1.43375$ $\times 626 = 898$
f	Welwyn Hatfield figure capped at 40% above 626 per year	<b>877</b>

- 3.7 By comparison the Submitted Local Plan sets a target to build 12,000 homes in the period 2013-2032 (an average of 632 per year).
- 3.8 It is proposed that the Council objects to the use of a standardised methodology for calculating housing needs for an area. The methodology means that local authorities with a high baseline projection combined with a poor affordability ratio will face a high (albeit capped) target. This situation will apply to the majority of local authority areas in the south-east around London, many of which are already constrained by green belt designations and stressed by a lack of transport and infrastructure capacity. The Council would find itself in a situation of either having to meet this level of need or engage in very complex negotiations with adjoining and more distant authorities to re-distribute housing need beyond the



borough boundary. The merit is that it would reduce the need to commission and regularly update expensive and time-consuming housing studies.

#### Improving how local authorities work together

- 3.9 The NPPF expects local authorities to work together to meet housing and other development needs through the duty to co-operate process. It is recognised however that many authorities fail this legal test at public examination. The Government now muses that this approach lacks transparency, is only tested at the end of the plan-making process when it is too late to remedy any failures and does not require agreement to be reached.
- 3.10 It therefore proposes that all local authorities should prepare a statement of common ground over an agreed housing market area or other geographical area. The statement should set out cross-boundary matters and record where agreement has already been reached or will be reached, so that it can then act as an evidence base at examination stage. Authorities may need to prepare and may need to be signatories to more than one statement. It proposes that outline statements should be in place within 6 months and finalised within 12 months of the NPPF being revised in April 2018, and then updated at key milestones in the plan-making process.
- 3.11 It is proposed that the Council highlights the challenges associated with these proposals, notably that it will almost certainly create extra work, despite claims to the contrary. The Welwyn Hatfield Local Plan has been greatly challenged by the difficulty of identifying the housing market area within which the borough definitively sits. The Strategic Housing Market Assessment concludes that our housing market area extends beyond our borough boundary, but not to the extent that it fully or largely covers any adjoining local authority area. This means that we would probably need to be signatories to a number of statements of common ground, which adds even more complexity to the duty to co-operate process.

#### Planning for a mix of housing needs

- 3.12 It is proposed that the overall target for housing should also be disaggregated into targets for different types of housing, and seeks views on how this might be done and evidenced in a streamlined way.
- 3.13 It is proposed that the Council comments on its success in setting out targets for different types of housing in the Submitted Local Plan. This evidence was sought as part of the Strategic Housing Market Assessment. It seems likely that this approach will need to continue in order for targets to be based on local evidence, rather than relying on a national standardised disaggregation methodology.

#### Neighbourhood planning

- 3.14 The Government continues to support the preparation of neighbourhood plans but recognises that communities often struggle when there is no housing target for their area in the local plan.
- 3.15 It is therefore proposed that local authorities must provide neighbourhood planning groups with a housing need target for their area. This can be done on

reasoned judgement based on the settlement strategy and housing allocations in the local plan. Where the local plan is out-of-date then this target will be derived as a population percentage proportion of the overall standardised housing target.

- 3.16 It is proposed that the Council comments on its success in setting out housing targets for villages in the Submitted Local Plan, which will go some way to help neighbourhood planning groups to define an appropriate housing target for their area. At present only two town/parish councils in the borough have indicated their desire to prepare a neighbourhood plan, but neither has progressed this work to a formal stage yet.

#### Improve the use of Section 106 agreements

- 3.17 The Government recognises that Section 106 agreements based on viability assessments are increasingly complex and often result in lower contributions to infrastructure and affordable housing than is required by local policies.
- 3.18 It is therefore proposed that local authorities should be more explicit about the types and thresholds of affordable housing contributions that are required and the infrastructure needed to deliver the plan and with more commentary on how these will be funded and what contribution developers are expected to make.
- 3.19 It is proposed that where viability has been tested through the plan-making process the issue should not usually be re-tested at planning application stage.
- 3.20 It is proposed that viability assessments should be simpler, quicker and more transparent – through options such as a preferred approach to calculating costs and values, a standard format for viability reports and a glossary of standard terminology.
- 3.21 It is proposed that local authorities should set out in the local plans how they will monitor, report on and publicise the use of funding secured through Section 106 agreements, using an open data approach.
- 3.22 It is proposed that the Council comments on its success in setting out affordable housing targets for different parts of the borough and infrastructure requirements arising from growth in the Submitted Local Plan and Infrastructure Delivery Plan. At present officers do feel obliged to seek independent scrutiny where viability assessments are submitted by applicants because they claim they are unable to meet all policy obligations. A standard approach and standard format for viability assessments would make this easier for all. The Council already reports its Section 106 information to Development Management Committee on an annual basis, but could do more to make this easily available to the wider public.

#### Increase planning application fees

- 3.23 The Housing White Paper proposed to increase planning application fees by 20% to help fund planning departments. The consultation seeks views on the most appropriate criteria to enable this fee to be applied, particularly where they might support housing delivery.
- 3.24 It is proposed that the Council continues to support a 20% increase in planning application fees. The suggestion that criteria may be applied is a distinct move

away from the straightforward increase proposal in the Housing White Paper. At present the planning service funding is approximately two-thirds from application fees and one-third from council tax. It is a recognised challenge to appoint sufficient planning officers to deal with the growing caseload and to prepare the local plan and other planning documents that aid decision-making. There is a risk that the Council would lose out on funding if the increase were linked to housing delivery performance, particularly if the standardised methodology is brought into effect as proposed above.

#### **4 Legal Implications**

- 4.1 There are no legal implications associated with responding to this consultation document.

#### **5 Financial Implications**

- 5.1 There are no financial implications associated with responding to this consultation document. There will be financial implications if the proposals are brought into effect as currently proposed.

#### **6 Risk Management Implications**

- 6.1 There are no risk management implications associated with responding to this consultation document.

#### **7 Security and Terrorism Implications**

- 7.1 There are no security or terrorism implications associated with responding to this consultation document.

#### **8 Procurement Implications**

- 8.1 There are no procurement implications associated with responding to this consultation document.

#### **9 Climate Change Implications**

- 9.1 There are no climate change implications associated with responding to this consultation document.

#### **10 Policy Implications**

- 10.1 There are no policy implications associated with responding to this consultation document.

#### **11 Link to Corporate Priorities**

- 11.1 The subject of this report is linked to the Council's Business Plan 2015-2018 and particularly Priority 3 to meet the borough's housing needs.

#### **12 Equalities and Diversity**

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

Name of author	Colin Haigh
Title	Head of Planning
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Background Papers:

DCLG Planning for the Right Homes in the Right Places consultation document  
<https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals>