

Cabinet Planning and Parking Panel  
13 December 2018

WELWYN HATFIELD COUNCIL

\* Reporting to Cabinet

Minutes of a meeting of the WELWYN HATFIELD COUNCIL CABINET PLANNING AND PARKING PANEL held on Thursday 13 December 2018 at 7.30pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors S.Boulton (Chairman)  
H.Bromley (Vice-Chairman)  
  
A.Chesterman, J.Cragg, G.Hayes, S.Kasumu,  
S.Markiewicz (substituting for C.Gillet), A Rohale,  
P.Shah, R.Trigg (substituting for S.Glick) and  
P.Zukowskyj

ALSO Tenants' Panel Representatives

PRESENT: R.Read

OFFICIALS Head of Planning (C.Haigh)  
PRESENT: Planning Policy and Implementation Manager (S.Tiley)  
Data Analysis and Planning Officer (L.Palmer)  
Governance Services Officer (H.Johnson)

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103. SUBSTITUTIONS

The following substitution of a Panel Member had been made in accordance with Council Procedure Rules 19-22:-

Councillor R.Trigg for Councillor S.Glick and Councillor S.Markiewicz for Councillor C.Gillet.

104. APOLOGIES

Apologies for absence were received from Councillor C.Gillet and Councillor S.Glick.

105. MINUTES

The Minutes of the meeting held on 1 November 2018 were approved as a correct record and signed by the Chairman.

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106. DECLARATION OF INTERESTS BY MEMBERS

Councillors S. Boulton and P.Zukowskyj declared a non-pecuniary interest in items on the agenda as appropriate by virtue of being Members of Hertfordshire County Council.

107. PUBLIC QUESTION TIME AND PETITIONS

The following question was received and the chairman responded:

**Question from Mr N.Bedford**

The Council has undertaken at least two previous “Calls for Sites” and it remained open to the identification of new sites up until the submission of the Local Plan, as witnessed by the very late submission and allocation of Symondshyde after Regulation 18 consultation had been completed.

Can the Council now state, in clear terms, (1) whether or not the Council is actually aware of any potential new sites in the borough which have not been previously submitted to and/or considered and assessed by the Council and (2) where are those sites and what scale of housing delivery would be achieved on those sites?

**Response**

A number of additional or amended sites have been promoted to the Council since the submission of the Draft Local Plan. They are at various locations across the borough, namely: Cuffley, Stanborough, Little Heath, Swanley Bar, Northaw, Oaklands and Mardley Heath, North Mymms, Hatfield and Welwyn Garden City. Delivery assessments have not yet been completed.

To clarify Symondshyde was submitted to the Council during and not after Regulation 18 consultation had been completed.

**Question from Mr A.Perkins**

At the CPPP meeting on 6 September 2018, Councillor Zukowskj specifically requested that the planning officers should inform the CPPP how many homes could be provided on sites which had already been identified by the Council, based on the ratings of “harm” to the Green Belt, as assessed in the LUC Green Belt report.

Councillor Zukowskj repeated his position in his statement to the Examination Stage 5 Hearing Session.

So far, that information has not been provided to the CPPP or to the Examination.

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In the absence of the critical information concerning the existing land supply, CPPP is not sufficiently informed as to the need, purpose or potential harm caused by having a new Call for Sites.

The attached schedule contains the information requested by Councillor Zukowskj which demonstrates that sufficient unallocated land for approximately 3,000 new homes has already been identified and assessed by the Council which, in addition to its existing site allocations, would be sufficient to meet most, if not all, of its Full Objectively Assessed Housing Need without allocating any sites in the areas of Very High Harm to the Green Belt.

A new call for sites is unlikely to identify major sites in areas of lesser harm to the Green Belt. No such areas were identified by LUC in the Green Belt report.

CPPP should not support the recommendation for a new Call for Sites at Agenda

Item 7, paragraph 2.2 which will delay the Examination for up to one year and expose the Council to the risk of undesirable planning applications and planning appeals.

In order to assist the debate at the CPPP meeting, would the Chair please state whether or not the planning officers agree the information in the attached schedule is correct and please make the schedule available to members of the CPPP?

### **Response**

The schedule has been made available to members of the Panel.

Officers do not consider all of the information in the schedule is accurate. Nevertheless the general point Mr. Perkins is making relating to the potential to reach the Objective Assessment of Need from known sites is accepted. This equates to Approach 3 which was presented to Members at the meeting of this Panel on 6 September 2018. The disadvantage of Approach 3 is that it requires the release of further areas of high harm to the Green Belt.

### **Question from Mrs P.Perkins**

At Agenda Item 7 paragraph 3.31 the planning officers set out a programme for the delay to the Local Plan Examination, caused by a further proposed Call for Sites.

Should the Council decide to proceed with a new Call for Sites, would the CPPP please confirm that the proposed work to be undertaken in the period January 2019 to Summer 2019 includes all of the statutory and regulatory requirements in the Planning and Compulsory Purchase Act 2004, the Localism Act 2011 and the Town and Country Planning Regulations 2012 including the necessary update to the Sustainability Appraisal and the Habitat Regulations Report, such

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that the progress of the Examination and the Council's timetable for adoption of the new Local Plan in Spring 2020 is achieved without further delay in future?

### **Response**

The programme set out in the report is an ambitious one but does allow for carrying out the necessary regulatory processes. Meeting the programme will to a large extent depend on the number of sites that are promoted in response to the Call for Sites; the number of representations that are received in response to the consultation; and how many of them are submitted on-line.

#### 108. LOCAL PLAN NEXT STEPS

The report of the Corporate Director (Public Protection, Planning and Governance) set out the next steps on the Local Plan. The Welwyn Hatfield Local Plan had been submitted and was undergoing public examination by an independent inspector. The inspector indicated that the plan did not meet the objectively assessed need for housing. The submitted plan contained sites for 12,000 homes but the housing need was acknowledged to be about 16,000 homes to 2033.

The inspector subsequently asked the Council to carry out a further green belt study to determine whether there was any scope for additional housing sites to be identified. The results of the green belt study (carried out by LUC consultants) was reported to the Panel in September 2018 and debated at an examination hearing session on 6 and 7 November 2018. The inspector subsequently asked the Council and LUC consultants to clarify the findings and address any accepted inconsistencies of the harm assessment of the greenbelt.

In October 2018 a planning appeal inquiry took place in respect of the refusal of planning permission for the redevelopment of employment land at Entech House in Woolmer Green for housing. The appeal inspector concluded that: the emerging Local Plan was not at an advanced stage, the Council could not show a five year supply of deliverable housing sites and the scale of its supply falls considerably short of five years. As a result it may be necessary for the Council to give slightly more weight to future housing proposals on brownfield sites and undesignated employment land and slightly less weight to other policies that might otherwise restrict housing development that has adverse impacts.

Subsequently, the inspector asked the Council to agree the way forward so that the Local Plan could progress in a timely manner. The Head of Planning and Leader of the Council were authorised by the Panel in September 2018 to agree a response. It was proposed that the Council carry out a new Call for Sites process, publish any new sites for public comment, analyse the sites, debate the results and submit any new site allocations to the examination, to enable hearing sessions on new sites and village sites to take place in autumn 2019 and adoption in spring 2020.

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The following timetable was proposed so that the Local Plan was progressed in a timely manner:

January 2019	New Call for Sites process, to be promoted through the Local Plan newsletter, social media and local newspapers.
February 2019	Publication of promoted new sites for public comment for 6 weeks. Those registered on the Local Plan consultation database will be notified either by letter or email. Copies of the document will be published online and in paper format which will be made available at the usual inspection points.
Spring 2019 (purdah)	Individual and cumulative analysis of sites by officers, utilising public comments, existing evidence, new green belt study and engagement with statutory bodies such as Herts County Council as highway and education authority.
Summer 2019 (after elections)	Officers to present analysis to CPPP and Cabinet to recommend any changes to brownfield assumptions, changes to existing sites (such as increased densities) and to identify any additional sites for allocation and release from the green belt.
Summer 2019	Submit new sites to inspector / examination.
Autumn 2019	Examination hearing sessions to take place on new sites, village sites and Symondshyde village.
Winter 2019	Modifications consultation.
Early 2020	Receipt of Inspector's Report.
Spring 2020	Adoption of Local Plan.

The following concerns were expressed by Members:

- The new timetable could create delay.
- The new timetable was ambitious.
- The greenbelt between villages could be under-minded as the National Planning Policy Framework (NPPF) sees coalescence between towns such as Welwyn Garden City, Hertford and Stevenage as well as Hatfield and St Albans as a significant issue, more than coalescence between villages.

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The following points were then made:

- New call for sites could result in new sites being put forward as well as old sites (that had been submitted previously) that demonstrated that they were now suitable.
- Officers would analyse the cumulative effect and harm to the green belt and demonstrate what was acceptable taking into account the scale of the housing need.
- As the Council was agreeing a plan for 15 years it was better to get it right and demonstrate that the Council had done everything possibly could to reduce the harm to the greenbelt.

RESOLVED  
(Unanimous)

- (1) That the Panel acknowledge the debate about the Stage 3 Green Belt Study that took place at the Examination hearing sessions on 6 and 7 November 2018.
- (2) That the Panel agrees the way forward and timetable for the progression of the Local Plan. This comprises a new Call for Sites process, publication of new sites for public comment, individual and cumulative analysis of the sites and a decision on any additional sites should be favoured for allocation and submitted to the examination.

109. 2018 BROWNFIELD LAND REGISTER

The report of the Corporate Director (Public Protection, Planning and Governance), set out details of the sites included in the Council's 2018 Brownfield Land Register, a statutory requirement since the introduction of the Town and Country Planning (Brownfield Land Register) Regulations 2017. The first register was published in December 2017 and it was required to be reviewed at least once per year.

The intention of the Brownfield Land Register (BLR) was to improve knowledge of the availability of previously developed land for residential development and encourage its use. Part 2 of the register allowed local planning authorities to grant 'Permission in Principle' (PiP) should they wish to.

No sites had been included on Part 2 of the BLR this year, meaning that "Permission in Principle" had not been granted to any site. Therefore the BLR for Welwyn Hatfield was purely a means of providing information about land availability in the borough.

The Panel noted that:

- Sites proposed for allocation in the emerging local plan could not be included in the five year land supply.

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- Only those which were not major development, had planning permission or those allocated in an adopted plan or identified on the BLR where there was clear evidence that they were deliverable could be included in the five year land supply.
- It was estimated that the Council could deliver about 2,000 dwellings from the BLR.

RESOLVED:

- (1) That the Panel notes the quantity of sites and dwelling capacity on the 2018 Brownfield Land Register (BLR).
- (2) That the Panel notes that the Brownfield Land Register will now be published on the Council's website (BLR).

110. HERTSMERE LOCAL PLAN POTENTIAL SITES FOR HOUSING AND EMPLOYMENT

The report of the Corporate Director (Public Protection, Planning and Governance), identified the strategic issues that had arisen from Hertsmere Borough Council's consultation on their Local Plan and highlighted key points for inclusion in the proposed response. (The proposed response to the consultation report was set out in full in Appendix A).

Hertsmere Borough Council (HBC) was in the process of preparing a new Local Plan. It carried out an "Issues and Options" consultation in autumn 2017 which sought views on how the Plan should approach providing for growth in homes, jobs and infrastructure in the next 15 years. In the next stage of engagement HBC was seeking feedback on a range of specific sites that had been put forward by landowners and developers for possible inclusion within their new Local Plan.

WHBC's response drew attention to a number of potential cross boundary strategic issues including its unmet housing needs and infrastructure issues.

The Panel noted that it was an opportunity for:

- HBC to consider whether they could meet the housing shortfall in Welwyn Hatfield in accordance with the NPPF (such as South Cambridge and Cambridge Councils).
- Both Councils to look at coalescence and the impact on the green belt along A1m/A1000 corridor.
- Even though HBC were a year or two behind the Council with developing their local plan, any joint working would be useful for the Council's next Local Plan.

Regarding the planned new garden village near London Colney and Colney Heath, the Panel were keen that comments on its development and its impact on the A414 were added to the response.

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RESOLVED:

That the panel agrees the proposed response to Hertsmere's public engagement on potential sites for housing and employment as part of their Local Plan, which is explained in the report and set out in full in Appendix A.

111. MHCLG PLANNING REPORT -SUPPORTING THE HIGH STREET AND INCREASING THE DELIVERY OF NEW HOMES PERMITTED DEVELOPMENT RIGHTS - CONSULTATION RESPONSE

Report of the Corporate Director (Public Protection, Planning and Governance), set out proposed responses to Government proposals to introduce new permitted development rights for high street units to change their use and the ability for commercial units to extend upwards (by creating new floors) to create new homes. The purpose was to support high streets and increase the delivery of new homes.

The deadline for responding was Monday 14 January 2019. The consultation document could be viewed at:

<https://www.gov.uk/government/consultations/planning-reform-supporting-the-high-street-and-increasing-the-delivery-of-new-homes>

National permitted development rights meant that landowners could carry out the prescribed changes without securing planning permission from the Council. The document stated that existing permitted development rights provided nearly 18,900 homes in 2018/2019. In many cases however such changes would be subject to prior approval by the Council, to consider matters such as pollution, flooding and highways.

The following concerns were raised by members:

- Increasing the heights of buildings would have a negative impact, for example in Welwyn village.
- Converting buildings to offices would not support local high streets.
- Section 3.45 of the report, concerning telecommunication infrastructure, would need to be strengthened by Officers to address the potential negative impact.
- Permitted development rights would take precedence over Conservation Areas and the Estate Management (EM) in the borough.
- Permitted development did not affect listed buildings, such as Hatfield House for example.

RESOLVED:

That the Panel agree, through the Head of Planning, to respond to the Government consultation on possible changes to permitted development rights to support high streets and increase the delivery of new homes,

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based on the proposed responses set out in the report and subject to amendments to 3.45 of the report and further comments agreed by the Panel.

Meeting ended at 9.07 pm  
HJ