

Examination into the Welwyn-Hatfield Local Plan 2013-2032 Inspector's preliminary conclusions and advice

Introduction

1. Hearing sessions into sites, adjacent to the excluded villages, that are proposed to be removed from the Green Belt [GB], as well as other outstanding matters, were held in July and August 2020. They marked the conclusion of my Examination into the Local Plan that the Council submitted to the Planning Inspectorate, for examination, in May 2017.
2. Among other things, in December 2017, I asked the Council to undertake work that would lead to the submission of additional housing sites to meet a housing requirement that would accord with the then Full Objectively Assessed Housing Need [FOAHN], that it had placed before the Examination in June of that year. Almost three years later, the Council has not submitted any such sites to the Examination. To assist it with this task, some time ago, the Council indicated that it would be helpful, if I could set out my conclusions, so far, on the Examination.
3. I am now in a position to advise the Council of my findings, based on the evidence currently before me, on the legal compliance and soundness of the plan and on the options available to it in that context. In giving this advice, I have taken into account all of the written and oral evidence and representations that have been submitted to the Examination since it began in June 2017.
4. The Examination has now been in progress for over three years. It would be in no-one's interests for the uncertainty to be prolonged any longer than is absolutely necessary. My advice in this letter is therefore given on the basis that it is desirable for the Examination of the plan to be brought to a conclusion as soon as practicable.
5. This letter primarily focusses on the matters that I consider critical to the successful outcome of the Examination and sets out my views on those matters. My formal recommendations and the full reasons for them will be given in my report to the Council at the end of the Examination.
6. This report should be read in conjunction with Examination Document [EX]¹³⁹ which contains my letter to the Council of 14 December 2017, with my further letter to the Council of 24 October 2018 (EX 91B), and also with EX 61 in which, on 6 January 2020, I gave my views, based on the evidence available to me at that time, on the plan area's updated FOAHN.
7. I should stress that this letter sets out my preliminary conclusions on the key matters that arose during this examination, in order to provide clarity for the Council and all other parties, as to my current thinking on the soundness of this plan. It does not attempt to deal with all the issues that

¹ Abbreviations are listed at the end of the document

arose during the examination and its hearings, only those that are pertinent, at this stage, to the potential of eventually achieving a sound plan.

8. However, it does refer to some of the more significant potential Main Modifications [MMs] that arose in or subsequent to the hearings and I now raise some other matters that could only be resolved by this process. My conclusions on the various hearings are set out in the respective round-up notes, which can be found in the Examination Documents².
9. My Examination of the plan has been informed by a great deal of detailed evidence, both supportive and critical of the plan's proposals. Although it is not possible or indeed necessary for me to refer to every point that was raised in the evidence, I am grateful to everyone who has invested their time and effort in contributing to the Examination so far.

Background

10. My letter of 14 December 2017, to the Council, which followed a discussion at the end of the Stage 2 Hearings (October 2017), set out the principle shortcomings which, on the evidence available to me at that time, I had identified in the submitted plan and its evidence base. In particular, I observed that there was a significant shortfall in the number of new dwellings (ds) proposed by the submitted plan, to meet the revised FOAHN that the Council had placed before the Examination, in June 2017 (3,200).
11. I also raised concerns about the weight that had been given to current infrastructure capacity, particularly with regard to education provision and highway capacity, in the site selection process. In addition, I pointed to the strategic nature of the stage 1 GB review, the incompleteness of the stage 2 review and the inability to compare the impact of all specific development proposals, on GB purposes and its openness, from the evidence available.
12. The Council went on to undertake significant further work in order to address those shortcomings. As well as undertaking detailed consultations with Hertfordshire County Council and other infrastructure providers, it commissioned a stage 3 GB review. This was meant to make a comparative assessment of the harm that would result to the GB's openness and purposes, through the development of individual parcels of land. These had been submitted to the Council, as potential locations for development, in response to its call for sites. It also updated its landscape and flood risk assessments.
13. At the beginning of 2019 it carried out a further call for sites and subsequently consulted on them, assessed them through an update to its Housing and Economic Land Availability Assessment [HELAA] and Sustainability Appraisal [SA], as well as against the results of its stage 3

² Stage 1 & 2 EX 39, Stage 3 EX79, Stage 4 EX 210, Stage 5 EX 211, Stage 6 EX 178, Stage 7 EX 186A-186C, Stage 8 EX 209.

GB review. This concluded with the production of an extended list of sites, sufficient to accommodate nearly 18,000 dwellings that could be suitable and available for development during the plan period³. The additional sites have not yet been placed before the Examination. In the meantime, the Examination into the rest of the submitted plan continued and is now complete.

Legal compliance

14. Following the Stage 1 hearings, I concluded that the Council had met the duty to cooperate in the preparation of the Plan. This was largely because, at the time of submission, the plan's housing proposals were capable, with minor additions, of meeting its FOAHN. In addition, it had indicated that through the further work, outlined above, it could place additional sites before the Examination to make up the shortfall in its FOAHN and would not need to ask any of its neighbours to assist it in this task.
15. I also concluded that it had met the relevant procedural requirements with regard to consultation and submission. There has been no subsequent evidence which alters those conclusions. Nor do I find any evidence that anyone's interests were materially prejudiced by the way in which subsequent consultations were publicised and carried out on the additional evidence prepared by or on behalf of the Council. There are nevertheless also legal obligations on the Council to prepare and submit a Habitats Regulations Assessment and a SA of the Plan which is to be adopted. The need for revisions to these will need to be considered in due course.

The strategy

16. The plan's spatial vision seeks to maintain a prosperous local economy, which makes best use of the area's links to London and Cambridge and the benefits associated with being the centre for higher education in the County. It also seeks to build upon the historic success of economic development in the Borough, by providing further land for employment development, both within the urban areas and also at three sites within the GB; at Birchall Garden Suburb [BGS] (Policy SP 19), North-West Hatfield (Policy SP 22) and Marshmoor (Policy SP 23).
17. To meet the needs of the growing population, 12,000 new homes are proposed in the submitted plan. This resulted from an assessment based on the 2012 household projections. However, the Strategic Housing Market Update of May 2017, which was based on the 2014 household projections, confirmed that provision should be made for 800 additional dwellings per annum (dpa) (15,200 over the then plan period).

³ Addendum to the Sustainability Appraisal of the Welwyn/Hatfield Local Plan, January 2020, Chapter 5

18. The revisions to the FOAHN would necessitate the release of additional land from the GB to accommodate more than 3,000 additional dwellings, if 16,000⁴ remains the housing requirement.
19. The plan's strategy seeks, subject to site availability, to achieve a proportionate distribution of the housing need within the settlement boundaries of the two main towns, Hatfield and Welwyn Garden City and the villages that are excluded from the GB, whilst maximising the use of brownfield land. These settlements are the most sustainable locations for development in the Borough and in accordance with paragraph 84 of the Framework, offer the best opportunity for achieving a sustainable pattern of development.
20. In addition, a new village (Symondshyde) of around 1,100 dwellings, set within the GB, was introduced into the plan at the Regulation 19 stage⁵ (Policy SP 24). Land to provide for 6,200 dwellings is to be taken from the Green Belt around the excluded settlements and at Symondshyde.
21. There was notable opposition to the Council's growth strategy, in the context of its likely impact on the GB, at the regulation 19 consultation stage. This concern was compounded by the potential ramifications of the increased FOAHN at the hearings. The implications of the changes to the FOAHN were discussed extensively, in response to my issues and questions, at the hearings into strategic matters.
22. The Council, nevertheless, maintained its support for the growth strategy and put forward a rigorous defence to the Examination. In this it is supported by the government's ambition, as expressed in the National Planning Policy Framework 2012 [Framework], for the facilitating of economic growth through the planning system. The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future. Areas with the greatest potential for economic growth should not be held back and particularly by labour shortages. The economic experience at Welwyn-Hatfield, over the past quarter century, places little doubt on the assertion that this area, partly through its locational and learning attributes, has better prospects than most in the field of economic growth.
23. The closure of the British Aerospace plant in 1993 resulted in the direct loss of 8,000 jobs. That was followed in 1998 by an alteration to the then Local Plan that allowed employment, housing and mixed-use development on over 100 hectares of land at the former Hatfield Aerodrome. That development is now largely complete. As a result, the area's economic fortunes have been more than turned around. Jobs increased from 45,550 in 1991 to 68,426 in 2011, whilst population grew from 93,800 to

⁴ Following a request from the Council, in January 2020, I agreed to a revised plan period (2016-36) that covered a 20-year period. A period of 19 years is put forward in the submitted plan. The housing requirement consequently rose from 15,200 to 16,000

⁵ The Town and Country Planning (Local Planning) (England Regulations 2012

110,500 over the same period. The evidence suggests that the trend in employment growth has continued post 2011.

24. There is now an undoubted momentum of growth potential spearheaded by the Hertfordshire Enterprise Council, with support from The University of Hertfordshire and the Royal Veterinary College. The former in particular has initiated research and development projects, in partnership with local business, that are acting as seed corn for the generation of further economic activity and new jobs.
25. A new employment area is proposed at Marshmoor, aimed at expanding the Borough's employment base in the context of life sciences and other research. This opportunity would be supplemented by a new employment area at North-West Hatfield and other employment land at BGS. These two areas would form parts of two large comprehensively developed areas that would create new neighbourhoods.
26. In conjunction with proposed safeguarding and the improvement and expansion of existing employment areas, it seems likely that these new employment opportunities would come to fruition over the lifetime of the plan. Multiplier effects would generate additional jobs in the service sectors.
27. Were these proposed allocations not to go forward during the plan period, then I doubt, given the momentum that has already been achieved, that employment growth could be stopped, although it may be slowed? The likely result would be increased pressure for further change and development at existing employment sites and buildings. That would lead to higher employment densities and accompanying negative aspects, such as congestion and cramped conditions that lead to inefficiency and increased costs. Overall, I therefore consider the strategic choice made by the Council, in the context of economic development, to be a sound one.
28. However, the Framework at paragraph 158 says that local planning authorities should ensure that strategies for housing, employment and other uses are integrated. That means that if there is to be job growth, there will normally be a requirement for an integrated growth in housing. To do otherwise would either result in acute shortages of labour or as appears to have happened in the recent past at Welwyn-Hatfield, increases in the overall level of inward commuting and increased pressure on the housing stock, both within the Borough itself and in surrounding districts. These have not made or been specifically asked to make provision for the additional housing needs of people attracted to work in Welwyn-Hatfield, as a result of its employment growth agenda, and under the Duty to Cooperate provisions.
29. The Planning Practice Guidance advises that *'Where the supply of working age population that is economically active (labour force supply) is less than the projected job growth, this could result in unsustainable commuting patterns (depending on public transport accessibility or other*

sustainable options such as walking or cycling) and could reduce the resilience of local businesses. In such circumstances, plan makers will need to consider how the location of new housing or infrastructure development could help address these problems⁶

30. In 1991 45% (20,310) of the Borough's workplace population resided elsewhere. By 2011 this had increased to 62% (42,469). Despite a daily outflow of workers to Greater London (9,415) there was a net inflow of workers of nearly 20,000. This unbalanced workplace and residence conundrum has largely developed since 1991, when there was a net inflow of less than 2,000 persons. There is no evidence to suggest that this historic trend has not continued post 2011. The Council's failure to maintain a five-year supply of housing land and to achieve completion rates that met its assessed housing need, for the most part since 2011, suggests that the position has probably worsened.
31. Were this inward commuting to manifest itself in sustainable travel to work movements, using the excellent local rail services on the East Coast Mainline, which traverses the Borough, or even the comparatively limited bus services that connect the two towns and the surrounding villages, with other settlements beyond the Borough boundary, then the issue would not be a weighty one. However, that is not the case, 86% of inward commuters travelled to work by car in 2011.
32. The evidence before the examination suggests that parts of the A1M and the A1000, the main north south road links, and the A414, which provides east-west links to Hertford, St Albans and beyond, are already heavily congested at peak periods. There are no guarantees that necessary road improvements, to facilitate the free flow of traffic along these routes, will be implemented in a timely manner during the plan period. In such circumstances an overall strategy that led to an increase in net in-commuting would not be sustainable and should not be found sound. Indeed, the Council should be seeking to reduce the necessity for high levels of in-commuting through the plan's housing proposals.
33. Additionally, affordability has been getting worse for more than a decade. The median quartile ratio rose from a little over 7 in 2009 to one of over 11 in 2017 (50%+). Although, in line with a national trend, it declined to 10.5 in 2019, there has nevertheless been a significant overall rise since at least 2009⁷. The submitted plan identifies a high need for affordable housing over the plan period. Policy SP 7, which seeks between 25% and 35% affordable housing, from major development sites, has been viability tested. This will undoubtedly help towards meeting the affordable housing needs of the Borough if sufficient new dwellings are built. However, without a step change in the overall provision of housing, the unfulfilled needs of a significant group of local people will remain unmet. This gives added weight to the need to boost the supply of housing in Welwyn-Hatfield.

⁶ Planning Practice Guidance, Paragraph: 018 Reference ID: 2a-018-20140306

⁷ The implications of the 2018-based SNNP and SNHP on the Welwyn/Hatfield OAN, August 2020 Fig 6.2

The overall housing requirement

34. The FOAHN, on which the submitted plan was based, suggested a need for about 630 dpa over a plan period 2013 to 2032. The Council replaced this with a revised assessment, at the start of the Examination. Based on the 2014 household forecasts, it identified a need for 800 dpa⁸. A reassessment based on the 2016 household projections came to the same conclusion. In January 2020 I wrote to the Council [EX 178], confirming that I considered this requirement (800 dpa) to be consistent with national policy.
35. Revised population and household projections based on the 2018 forecasts were published in March and June 2020. As national policy requires housing forecasts to be based on the most up-to-date information available, it is consequently necessary to revisit this. It is imperative that an up to date FOAHN is established without delay in order that the Examination can be brought to a conclusion.
36. The Council has submitted possible revisions to the FOAHN, suggesting that the dwelling need could be reduced to between 715 and 800 dpa. However, the consultant's report, accompanying this, also alerts the Examination to considerations, such as poor housing delivery performance in recent years, that could have affected the overall need assessment in a downward manner. I have written to the Council, asking for further clarification on this point and its interpretation of the range put forward, including its considered opinion on the precise actual need. I have also begun a consultation on the revised range of FOAHN put forward by the Council.
37. Until this is completed, and the representations considered, along with the additional evidence sought from the Council, this matter cannot be moved forward. The additional evidence requested from the Council should be submitted to the Examination so that revisions to the FOAHN can be examined at an early date and greater clarity given to the Borough's housing need going forward. In the meantime, and for the purpose of this report, 1,600 ds (800 dpa³) is still the FOAHN that is before the Examination, for the plan area.

The Plan Period

38. The plan, as submitted, covered a period 2013 to 2032. National Policy advises that Local Plans should ideally have a time horizon of at least 15 years when adopted. Following a request from the Council, I agreed in January 2020 that due to the passage of time, it would be appropriate to move the plan period forward to the period 2016 to 2036, thereby ensuring that there would be a post adoption period of 15 years. That change increased the plan period by a year and the FOAHN from 15,200 to 16,000.

⁸ Over the revised plan period 2016-36 (20 years)

Housing supply

39. Since the end of 2017, it has been clear that there was a significant shortfall in the proposed housing supply and that the plan was fundamentally unsound on that count alone. The Council's assessment of potential new sites in 2019 suggested that it had more than sufficient sites upon which the overall supply could be met.⁹ The Council should therefore quickly conclude, which of the additional sites that it favourably assessed in its 2019 update to its site selection process, are the most sustainable to meet that need, so as not to cause any further delay to the Examination.
40. The Council's latest housing trajectory (July 2020), suggests that the housing proposals that are already before the examination could deliver an additional 13,366 dwellings during the revised plan period. That assessment assumes that all of the housing proposals are eventually found to be sound and that there is a greater contribution from windfalls than originally assessed. The Council also indicates that the proposed sites, in the submitted plan, have capacity to accommodate a further 900 dwellings, additional to those originally estimated. The detailed justification for these changes has yet to be placed before the Examination so that their soundness is not certain.
41. The trajectory suggests that there would not be a five-year supply of housing land on the plan's adoption. The Framework, in discussing housing delivery, says that local planning authorities should ensure that their Local Plan meets the FOAHN for market and affordable housing. That includes identifying a supply of specific deliverable sites, sufficient to provide five years' worth of housing against their housing requirements and with an appropriate buffer to ensure choice and competition in the market for land. This is not achieved in the trajectory now before the Examination. In submitting additional sites to the Examination, the Council should give consideration to selecting sufficient new sites that would be deliverable in the short term, in order to achieve a five-year supply on adoption.

Green Belt

42. The Council's stage 3 GB review provides additional information on the contribution that some of the proposed development sites make to the purposes of the GB. However, as pointed out and discussed at the hearing session, it has omissions and limitations.
43. Nevertheless, despite these, in tandem with the previous reviews, it is a useful starting point, when inputting GB considerations into the site selection process. It clearly identifies land which is most essential GB and necessary to be retained while ever the current concept of GBs and their purposes remains. When this is combined with heritage and ecological assets, along with major flooding constraints, a significant proportion of the GB in the Borough has an absolute constraint against development.

⁹ See paragraph 13 above

44. Despite its shortcomings, I am confident that objective judgement can be used to supplement its findings and fill in the gaps when inputting the harm to the GB into the site selection process.
45. My preliminary conclusion is that exceptional circumstances exist for the release of sites from the GB, sufficient to meet the housing requirement. In principle the plan seeks to meet overall housing need in the right places through a logical and evidence based spatial strategy that promotes sustainable development patterns.
46. In the first instance land within the developed part of the district, together with other excluded land, has been forensically examined and I am satisfied that the potential for development within these areas, in the context of the development management policies contained in the plan, is being maximised. The imperative need to meet the FOAHN in full is driven by the plan's economic strategy and the affordability crisis. If the housing needs are not met in full then the unacceptable state of in-commuting and house price affordability would be likely to worsen. Unfortunately, if the Borough's FOAHN is to be met, then there is no alternative other than to remove some land from the GB.
47. The allocations before me, for the most part, constitute planned growth, are well chosen and with one exception do not represent unrestricted sprawl. In no instance do they result in any of the neighbouring towns merging or the use of land that the stage 3 GB review identified as essential GB. In one instance I have concluded that there would be unacceptable encroachment into the countryside.
48. I have examined other proposals that also represent encroachment into the countryside. However, these allocations are of such a size and nature and their locations and relationship with the retained GB are such that defensible and permanent boundaries, some incorporating structural landscaping that would overcome the harm to the GB's visual openness, are capable of being designed into the schemes' masterplans or implementation proposals. Consequently, with this one exception, I consider that the harm to the GB can be appropriately mitigated and managed.
49. There is a clear justification for the removal of some sites from the GB on the basis of overall housing need. However, that does not of itself justify the removal of specific individual sites. That should be based on a comparative assessment of all of the suitable and deliverable sites, considered to be available in the GB, as to their contribution to the purposes and openness of the GB and their relative sustainability in the context of the development strategy being promoted through the plan. Other things being equal, land that is less harmful to the GB should be selected. However, in most instances the comparative sustainability considerations will not be the same and in some instances these considerations will weigh in favour of selecting sites that are more harmful to the GB than others that are not selected. The overall process that

leads to the selection of sites to be removed from the GB should nevertheless be objective and transparent.

50. At this stage, I do not know if there are reasonable alternatives to the approach taken in the submitted plan to the alteration of the GB. That will become clearer when the additional sites within the GB and their comparative assessment, has been placed before the Examination, along with my reassessment of the GB sites advanced at the Regulation 19 stage and in the context of the updated information.

Safeguarded Land

51. Paragraph 85 of the Framework says that where necessary, safeguarded land should be identified and removed from the GB in order to meet longer-term development needs beyond the plan period. It also says at paragraph 83 that once established, GB boundaries should only be altered in exceptional circumstances. Additionally, that at that time authorities should consider the boundaries, having regard to their intended permanence, in the long term, so that they would be capable of enduring beyond the plan period.
52. I agree that just because GB boundaries are being altered now, to accommodate this plan's development needs, that should not be seen as a trigger to review all of the GB boundaries and to safeguard land specifically to meet development needs beyond the plan period. That is especially so with regard to land that is not adjacent to other land, which is being removed from the GB for development during this plan period. At this point in time the amount and the circumstances that would influence the preferred locations for development beyond 2036 is not known. Nor is the overall development strategy that the Council would be promoting at that time.
53. However, there is land that is being removed from the GB to meet the development needs of this plan period and necessitating the definition of new GB boundaries that would be accompanied with mitigation measures. In some instances, where there is adjacent land whose contribution to GB purposes will reduce, as a result of plan period development, serious consideration should be given to removing that land now so as to avoid a further change to that boundary when the plan is next reviewed.
54. Sites where the new GB boundary is to be the subject of screening proposals, by way of mitigation, are particularly important in this context. A number of such sites were referred to during the hearings and I refer to some of them below. In most instances, the most appropriate course of action would be to include the development of such land, if it is deliverable and otherwise appropriate, within the development proposals for the current plan period. Otherwise, it could be safeguarded for development in future years, thereby avoiding the need for further changes in the GB boundary, at this point, in the short or medium term.

Development Proposals

55. I set out below my conclusions on the soundness of the development proposals that have been examined to date. Before doing so, however, I should point out that my findings are largely based on the SA submitted with the plan, not the one submitted in September 2020, which has still to be considered.
56. Whilst the latter is now before the Examination, the results of the Council's consultation on its call for sites and its update to the site selection process are not before the Examination. I have therefore not been able to take that information into account. My comments below should therefore be read on the basis that they are written without knowledge of the comparative sustainability credentials of the new and old sites and their relative performance against GB considerations.
57. Changes to the policy considerations at a number of the sites were discussed at the relevant hearing sessions and agreed changes or requests for further work are set out in the relevant round-up notes. Unless they have a bearing upon the achievement of the appropriate housing requirement or I consider there to be a need for further consideration, then I have not referred to them below.
58. Overall, the proposals avoid or satisfactorily protect ecological and heritage sites through mitigation. As regards protected sites, the scale of the relevant allocations and/or the assumed dwelling capacity, provides the space and opportunity to provide adequate mitigation. For example, in providing adequate buffers to, and relieving public pressure on, nearby ecological and heritage sites and limiting landscape impact.

Strategic sites

59. The plan proposes six major areas for either housing, employment or mixed-use development, each requiring the preparation of a masterplan/supplementary planning document. Four of them would use land removed from the GB. A fifth would use previously safeguarded land and a sixth previously developed land, within the urban area. The subjects of the masterplans would be informed by a strategy diagram and site-specific policy considerations. These sites are to be developed comprehensively to create new sustainable neighbourhoods that incorporate principles of high-quality design.

Policy SP 17 Mixed use development site at Broadwater Road West, Welwyn Garden City

60. This proposal involves the redevelopment of an existing industrial/commercial area adjacent to the town centre and its railway station. The proposal would create over 1,000 new homes and at least 17,650 square metres of Class B1 employment floorspace. Whilst the plan has been in examination, planning permission has been granted for components of this proposal, including the redevelopment of employment premises that were originally intended to remain in that use, for housing. Updates to the policy wording and the strategy diagram are required to maintain the soundness of this proposal.

Policy SP 18 Land North East of Welwyn Garden City (Panshanger)

61. This proposal involves the use of safeguarded land that until recently, has been used as a grass strip airfield. There were plans to relocate the airfield on the adjacent GB land to the north. However, a safety report suggested that the juxtaposition of the proposed new runway and housing would not meet air safety regulations, unless the extent of residential development was curtailed. When the hearing was held, the former airfield buildings had already been demolished and the indications from the landowners were that a new airfield on the new site would not be delivered.
62. At para 84, the Framework makes it plain that new development should be channelled towards urban areas inside the GB boundary wherever possible. This site is safeguarded land within the GB boundary. It was removed to provide for the future housing needs of Welwyn Garden City. Other things being equal, safeguarded land should be used for development before GB land.
63. It will be necessary to develop significant areas of GB land if the housing requirement is to be met. I therefore find on balance that the curtailment of this proposal, in order to accommodate a relocated airfield, for which there is no obvious delivery mechanism, would not be justified and that this proposal in principle is sound.
64. There is no meaningful boundary between the development proposal and the land to the north, within the GB, that will not now be used for an airfield. That land was only rated moderate/high in the stage 3 GB review. Beyond this GB parcel there are hedgerows and woodland through which the Borough's boundary runs and where a defensible permanent GB boundary could be identified and established.
65. I have asked the Council to review the potential for development in this area of GB. The new boundary and open uses should be located in a position that maximises the potential extent of development, whilst protecting the wider remaining GB from harm and creating a long-term defensible boundary. If the extended development site is to be taken forward, then the Council will need to reassess the scope for the provision of additional facilities and services within the larger neighbourhood.

Policy SP 19 Land South-East of Welwyn Garden City (Birchall Garden Suburb (BGS))

66. This proposal is a joint proposal with East Hertfordshire District. It would have resulted in a development of over 2,500 dwellings (1,200 in Welwyn-Hatfield), together with ancillary facilities. A large former landfill site, which would be reclaimed to provide for outdoor recreational facilities, would separate two neighbourhoods, one in each authority's area.
67. A joint Examination was held in January 2018, prior to which some of the area proposed for development within East Hertfordshire had been

removed because of perceived ramifications for the setting of nearby heritage assets. I subsequently held further hearings into that part of the suburb within Welwyn/Hatfield.

68. There were extensive representations against the proposal, including fears about contamination from the refuse decomposing on the landfill site, excessive noise from an adjacent construction waste recycling plant, the impact on an adjacent wildlife site and the ramifications for the proposed Welwyn/Hatfield Green Corridor (Policy SP 12). Also, there would be impact on heritage assets and the wider GB.
69. My note of 19 March 2020, which summarises the points made during the previous hearing sessions, set out my concerns and position at that time. That of 30 January 2018 and my letter to the Council of 9 October 2019 express similar concerns. At the March 2020 hearings I confirmed that providing the policy considerations: -
 - a. contained parameters for appropriate mitigation to be implemented to adequately protect the amenity of residents from noise emanating from the adjacent recycling site;
 - b. provided for an appropriate green corridor across the site in accordance with the principles of Policy SP12; and
 - c. appropriately screened the development from views across the wider GB to the south, within an appropriate timescale.

I could consider this part of the overall proposal to be sound and for there to be exceptional circumstances to justify the removal of that part of the proposal that is north of Burnside and west of the former landfill site from the GB.

70. I have considered the additional evidence, subsequently submitted, with regards to the southern part of the site. The northern part of the proposed site that would accommodate the western neighbourhood, is relatively flat and not prominent in views across the wider GB to the south. I am satisfied that built development on it could be adequately screened in views from the retained GB countryside to the south with appropriate mitigation. The fields immediately to the north of the A414 are different. They slope upwards from the road and are clearly visible in northerly views from the rising ground to the south of the River Lea and from the eastern part of Hatfield Park. They are in my judgement an integral visual part of the openness of this wider GB countryside to the south of Welwyn Garden City and the East of Hatfield. It has a distinctively open character and such development that there is, is almost all of a rural nature.
71. At the moment, although Welwyn Garden City is close by, it is largely screened by distance and/or extensive areas of woodland, in views from this countryside. The screening of the fringes of the Garden City, from prominence in the surrounding landscape, is one of its characteristics.

The countryside, within the valley of the river Lea, to the south of the A414, is well used by the residents of the nearby towns and villages for recreation. At the present time, in that part between Essendon and Hatfield, there is no urbanising development within it or seen from it. This part of the proposal would totally change that perception.

72. As it is, because of ownership, ecological and contamination constraints, the northern part of the proposed western neighbourhood would protrude southwards from the existing urban area in an uncharacteristic, finger-like band. The development of the southern fields would extend this alien urban form further into the countryside, in my view in a manner that would be akin to urban sprawl.
73. From the evidence before me, and largely because of the elevational relationships, I do not consider that the proposed mitigation, to screen this area from the wider GB to the south, would be sufficient, within the plan period and even beyond, to overcome these concerns. Development to the north of the proposed screening bund adjacent to the A414 would be visibly prominent, when seen from the rising ground to the south of the river, for many years, even with a planting scheme. I have therefore concluded that there would be unacceptable harm to the openness of this countryside GB and that this part of the site should not be proposed for development at this time.
74. There would also be added but less than substantial harm to nearby heritage assets and could be harm to wildlife connectivity if this part of the proposal were to be taken forward. There are also minor contamination risks and noise uncertainties. All of these add weight to my conclusion that the development of this part of the site would not be as sustainable as many alternatives that could be substitutes. In such circumstances I would be unlikely to find exceptional circumstances to release this land from the GB or to find it sound.
75. I would ask the Council to reassess the development capacity of the northern part of the site, in the context of revised proposals to be incorporated into a revised key diagram and including ensuring that there is appropriate screening to protect the views from the wider GB countryside landscape to the south and the noise nuisances of the recycling plant, at the residential properties. Additionally, the location of service uses and the proposed neighbourhood centre, within the reduced development site, should also be reassessed and shown on the revised key diagram.
76. The extent of mitigation required to enable the proper protection of the adjacent local wildlife site should also be reassessed and incorporated into the policy considerations. If the Green Corridor is to pass through the centre of the site, rather than along its southern fringes, then effective parameters for its location and width should also be set out in the policy considerations. The location of the new GB boundary through BGS and within Welwyn-Hatfield, including the former refuse tip, also requires further consideration.

Policy SP22 Land in North-West Hatfield

77. The development of this site would involve the removal of a large area of land from the GB, upon which 1650 homes would be built. A comprehensive scheme would provide sites for ancillary facilities and employment.
78. The northern part of the site forms a part of the critical gap that separates the built-up areas of Hatfield and Welwyn Garden City. The stage 3 GB review has rated different parts of the site very high, high and moderate/high. In this context, the actual extent of built development and the location and form of the new GB boundary is critical and requires further detailed consideration. This should be reflected in revisions to the Key Diagram and the site's dwelling capacity.
79. The proposal includes an eight form of entry secondary school and other educational and community facilities that will require extensive areas of open land. The non-built elements of these could be located in the GB and reflected in the policy considerations and key diagram. Exclusion of the area (or parts thereof) rated as high harm, from the GB, and its use for built development purposes requires further justification, if exceptional circumstances to remove it from the GB are to be demonstrated.

Policy SP 23 Marshmoor

80. This site is to be removed from the GB and developed primarily for employment purposes. It is located adjacent to Welham Green railway station and would remove land that only contributes, to a moderate/low extent, to the purposes of the GB.
81. The intention is to develop a science park with an emphasis on research and development facilities. Being adjacent to a station and the large village of Welham Green, this is an opportunity to provide a sustainable employment campus whose workforce is less reliant upon the use of the private car, to travel to work, than is the norm in Welwyn-Hatfield.
82. However, there are unlikely to be exceptional circumstances demonstrated to remove this site from the GB, if overall the Council is unable to find sufficient sites to meet its housing need and there is a likelihood of the rate of inward commuting into the Borough rising even further, should this development go ahead. In such circumstances, consideration should be given to using this site for housing.
83. At the hearing, the site promoters indicated that the proposed residential accommodation was intended to be used as temporary accommodation by visiting research workers and academics. It would not be available as permanent housing to meet the Borough's wider housing needs. This should be reflected in the policy considerations and the housing trajectory.

Policy SP 24 New Village at Symondshyde

84. Land in a detached location, north-west of Hatfield would be removed from the GB to provide for 1130 homes and associated community

infrastructure. The site is agricultural land in a comparatively isolated location and with poor road links. There were large numbers of representations against this proposal, largely because of the harm that would be caused, through the removal of land from the GB and the proposal's relative unsustainability.

85. The viability assessment suggests that the provision of significant amounts of new infrastructure, to connect the site to existing roads, services and facilities, on the edge of Hatfield, would be viable. However, such expenditure would undoubtedly be less if the amount of development proposed were to be located on the edge of one or more of the urban areas.
86. Following the hearing session in March 2020, I wrote to the Council setting out my interim findings on this site. I had concerns about its overall sustainability but particularly from a travel perspective. Additionally, the site had been promoted and proposed for development on the basis of ownership boundaries, rather than the relative harm of individual parcels of land to the GB's purposes and openness.
87. I asked for additional work to be undertaken in these and some other areas. That suggests that the development area could be extended, particularly towards Hatfield but only as far as the north-western boundary of the proposed Green Corridor¹⁰. This would enable a larger number of dwellings to be constructed.
88. Such an increase in the development's critical mass would make facilities and services more viable. The additional work has demonstrated, to my satisfaction, that a viable public transport system, with frequent services, could be eventually established, if a higher critical mass of residents could be achieved. The evidence suggests that a larger population would provide the potential to offer a real and viable movement choice to the private car.
89. Some of the affected land is a part of a larger GB parcel that is rated High Harm. The Council should carefully assess the north-eastern extent of the potential development site, in the context of the impact that the currently proposed development area and any potential extension could have on the wider retained GB, post the establishment of potential screening mitigation. A similar exercise should also be undertaken along the northern boundaries of the site. Furthermore, an optimum location for a permanent boundary with the Green Corridor should be established.
90. The stage 3 GB review looked at alternative locations for a new village but concluded that none would be less harmful to the purposes of the GB than Symondshyde. I asked for a review of potential alternative locations, at a strategic level, to accommodate the development, immediately adjacent to Hatfield, along its western edges. It suggests that there would be no appropriate site in this area that could be available to deliver a reasonable number of dwellings, for the duration of this plan period at least.

¹⁰ Policy SP 12

91. Until I have examined the evidence, on the appropriateness of all of the additional sites, I do not know if housing could be more sustainably provided elsewhere, such as on the edge of the current urban areas, whilst still meeting the overall housing requirement.
92. Nevertheless, the submitted evidence suggests to me that if the overall housing requirement can only be met by the establishment of a new village within the Borough, then an expanded village on this site would appear to be the most appropriate solution.
93. This area emerged at the very last moment as a location for new residential development and the only justification in the SA is to provide a wider choice in the housing market. I am not convinced that this alone is sufficient to justify exceptional circumstances for the removal of this land from the GB, if there are more sustainable alternatives elsewhere that could together act as a substitute.
94. Notwithstanding the above outstanding matters and reservation, if this site is to be found sound, then there needs to be further justification incorporated into the SA. Elements of the further information, in the context of the overall outcome of the 2019 site selection process, could be incorporated into the SA to justify that the location of some development in a new detached location, to meet some of the housing need, is a sustainable outcome. It could also help to justify that there are exceptional circumstances to support the removal of this isolated site from the GB.
95. Additionally, if the land is to remain as a proposal, then the boundaries of this area with the surrounding GB should be reassessed and redrawn so that an optimum amount of development can be achieved in the context of the wider GB, to which no additional harm should result in the long term. All land surrounding the proposed site, whose contribution to GB purposes would diminish, if the proposal were to remain in the plan, should be assessed for inclusion within the development proposal. The deliverability of the proposal should be reviewed and if additional areas are not able to be developed within this plan period, then that land should be safeguarded for development post 2036.

Other housing sites in or adjacent to Hatfield and Welwyn Garden City

96. Nine additional sites in or adjacent to Welwyn Garden City and seven at Hatfield were proposed for residential development in the submitted plan. They would accommodate about 1,300 dwellings.
97. Because of the negative impact, the development of HS7 (Land at Waterside) would have on the attractive roadside open spaces, which are a distinctive part of the Garden City's green infrastructure and character, this proposal, which would have accommodated 20 ds, has been deleted.

98. 120 ds are proposed at a site south of South Way, Hatfield. The site could also accommodate a new primary school that is required to serve the wider area. The land forms a part of the undeveloped area between Hatfield and Welham Green. The two settlements are visually separate because of intervening vegetation but the gap is nevertheless narrow and fragile. The proposed site, however, was only rated moderate/high in the stage 3 GB assessment. Nevertheless, the south-western corner of the overall site is clearly visible from the wider GB to the west. Development that impinged upon this would harm the visual openness of the GB to the west to an unacceptable degree.
99. During the course of the Examination, proposals to reuse a disused building complex, owned by the County Council, for a new secondary school, have emerged on adjacent land. The Council and Education Authority are currently in discussions that include the landowners, to try to arrive at a comprehensive scheme that would provide new housing and education facilities, whilst maintaining appropriate separation between Hatfield and Welham Green and preventing any harm to the wider GB. An appropriate new boundary to built development should be defined, such that no parts of buildings would be visible from the wider GB to the west. Such a boundary should also be able to withstand the test of time as a GB boundary. If these considerations can be appropriately satisfied, then the proposal would be found sound. Assuming a housing proposal is maintained in this location, then careful consideration would need to be given to the desirability of any further additional residential proposals on the northern edge of Welham Green.
100. Alterations to the policy considerations, at a number of the other sites, were suggested at the hearings in 2018. The Council has also reviewed the capacity of these sites. Subject to the alterations being agreed as acceptable and coming forward as MMs, these proposals are likely to be found to be sound.

Other Green Belt housing sites

101. Seventeen sites are proposed for residential development within or adjacent to six of the eight villages that are excluded from the GB.
102. Strategic Objective 1 seeks to provide for the development needs of the plan period in a form that maintains the existing settlement pattern. This accords with the Spatial Vision, which says that whilst the main focus for development will be in and around Hatfield and Welwyn Garden City, a secondary focus, where more limited development will take place, will be within and around the villages excluded from the GB. A limited amount of land will be released from the GB to accommodate some of the development adjacent to these settlements.
103. It is envisaged that the growth at these settlements will be proportionate to their needs, unless site availability dictates otherwise. Accessibility to the strategic transport network and other good public transport links is also stressed. This accords with the thrust of paragraphs 30, 34 and 37 of the Framework. The amount of development is also expected to be

compatible with the scale and character of each village. Development which would result in a disproportionate growth to any settlement will be resisted.

104. Notwithstanding the policy objective of achieving a proportionate distribution of development, the proposed distribution of new housing development, in the submitted plan, is heavily biased towards four of the eight excluded villages, Brookmans Park, Cuffley, Little Heath and Woolmer Green. No market or affordable housing is proposed at Digswell or, following the clarification of the special nature of the residential accommodation at Marshmoor, in Welham Green either. This is despite them each having a railway station with frequent services to Welwyn Garden City, Hatfield and beyond, putting them among the most sustainable locations within the Borough from a movement perspective. Additionally, little new development is proposed at Oaklands and Mardley Heath or Welwyn.
105. There is no objective justification for this disparity before the Examination and without such evidence the proposed distribution among the villages is likely to be found unsound. There is undeveloped land within walking distance of both of the above railway stations and also within walking distance of Marshmoor, which is intended to be the Borough's flagship employment site. This site is adjacent to Welham Green railway station and has quick access from Welwyn North (Digswell) as well as from Brookman's Park railway stations. These stations along with Welham Green also have direct, quick access to the large existing employment area to the east of Welwyn Garden City station.
106. The Council should take the above considerations into account when submitting additional sites, adjacent to the excluded villages, to the Examination.
107. My observations on the appropriateness of development, at all of the proposed sites in or adjacent to the excluded villages, that have been examined, are contained in the appropriate round-up session notes that followed the hearings. I have however, set out my current thoughts on the larger sites, particularly where above moderate harm to GB purposes is suggested by the stage 3 GB review, below.

Policy SADM 27 Woolmer Green

Site HS15 Land east of London Road

108. This site would have a moderate/high impact on GB purposes, largely because it safeguards the countryside from encroachment. However, the topography is such that a screening belt could be created to provide a clear long-term boundary that would maintain the visual openness of the wider GB.
109. There would be less than minor harm to the adjacent listed farmhouse, in my view towards the bottom of the scale. If necessary, further screening could be implemented as a part of the development proposals. I have

asked the Council to look at amendments to the site-specific policy considerations to reflect the above, but in principle consider this proposal to be sound.

Policy SADM 31 Brookmans Park,

Site HS22, Land west of Brookmans Park Railway Station

110. This site is immediately adjacent to a railway station with good services to Welham Green and Welwyn Garden City as well as to London. The SA found few negative effects, although the site has high landscape sensitivity and there are ecological sites nearby. Nevertheless, it found many positive effects, including the proximity to the railway station, the village centre and other facilities. Adequate mitigation measures could be put in place to protect the adjacent woodland and other ecological sites within the area.
111. The proposal includes an option to build a new primary school on the site and the dwelling capacity was further reduced by perceived highway capacity constraints along Bradmore Lane. At the hearing, the County Council confirmed that the site may not need to accommodate a school and that particularly following revisions to the site access, the additional traffic effect upon Bradmore Lane would not be severe. Given the change in the proposed access priorities in favour of traffic from the development, over that using Bradmore Lane and the additional ability to implement traffic calming measures along Bradmore Lane itself, for the benefit of pedestrians, I agree.
112. Whilst the site encroaches into what is now open countryside within the GB, the visual impact is constrained by woodland and hedges to the north and west and the railway line, beyond which is built development, abuts it for about half of its longer eastern boundary. Some additional landscaping, along the site's northern boundary, could satisfactorily screen the site from the wider GB countryside in this direction.
113. Without appropriate boundary location and mitigation, the development could impact profoundly on the remaining GB to the south, in the pronounced valley to the north of the Royal Veterinary College and including the southern field within the proposed development site. This gap could become fragile if not given careful attention. However, with appropriate earthworks and landscaping to the north of the valley, this potential harm could be successfully mitigated, and a permanent defensible GB boundary established. This would enable the site's impact on the wider GB to be limited. I have asked the Council to investigate the potential to screen this development from the wider GB and to include policy criteria that would ensure its achievement

114. Mitigation measures to protect the wider GB would affect the site's overall development capacity, as would any changes in the requirement for a school on this site. In addition, the implications of the proposed changes to the site access, for the highway considerations along Bradmore Lane, should be revisited in the contexts of pedestrian safety and amenity along the Lane and any potential impact on the listed buildings at Water End.
115. Upon completion of the development, parts of a triangular area, between the site and the railway, would be unlikely to make a significant contribution to the purposes of the GB or its visual openness. I have asked the Council to look at the desirability of including the northern part of this site within the development area and to redefine the GB boundary in this location accordingly.
116. Whilst the stage 3 GB review considers that the site's development would result in high harm, on balance and with appropriate mitigation as discussed, I agree with the Council's conclusion that the benefits of the site, particularly its movement sustainability, more than outweigh the adverse impact on the purposes of the GB and the loss of the site's openness. In these circumstances, this proposal could be found sound and there would be exceptional circumstances to justify its removal from the GB.

Policy SADM 32 Little Heath

Site HS24, Land South of Hawkeshead Road

117. The SA identified many more positive than negative effects and the Stage 3 GB study only considered the combined harm on the GB to be moderate/high. On balance, the Council considers the site's benefits marginally outweigh the adverse impacts on the GB. However, at the moment, development at Wain Close is prominent in the views across this countryside GB, when seen from the public footpath to the north of Hawkshead Road. Whilst new development would remove these dwellings from the views, unless the new boundaries are carefully defined and appropriate earthworks and landscaping can be implemented, a development in this location could have a similar profound and negative visual impact on the openness of the wider GB as that adjacent to the existing boundary.
118. Little Heath and this site adjoin Potters Bar, for which Hertsmere Council are currently preparing a Local Plan Review. Before it is allocated, the extent of housing at this site should be considered in the context of any development proposals on adjacent land in Potters Bar. I have asked the Council to consider, in consultation with Hertsmere Council, the location of an appropriate new GB boundary that would seamlessly cross the Borough boundary and satisfy the requirements of both authorities.
119. If an appropriate permanent boundary, along which a landscaping proposal that would screen the site from the wider GB can be established, then this could be a sound proposal. In such circumstances, the redefined

boundary should be shown on the Policies Map. The need for and nature of the boundary landscaping should also be included in the policy criteria.

Policy SADM 33 Cuffley

120. Although the largest village, Cuffley is detached from the main centres of population within Welwyn Hatfield and it has comparatively few employment opportunities. Consequently, unlike the Borough as a whole, there is net out commuting (about 1,200 or 30%). It nevertheless has a station, but the rail links are with London and Hertford. Other commuter links are with urban areas in Broxbourne and Hertsmere rather than with Welwyn-Hatfield, to which there is a comparatively lengthy and sometimes congested, road journey. Consequently, Cuffley, in a Welwyn-Hatfield context, is not a particularly sustainable location from a transport perspective, in which to meet the accommodation needs of persons working at the major employment sites within the Borough.
121. The SA refers to the congestion at the road junction in the centre of the village, which is clearly already a significant problem at peak times. Minor improvements could be made to relieve the existing congestion and to delay it from becoming severe for a period. However, in the longer term there needs to be a planned resolution to this matter, if development is to continue at Cuffley. If development is to be in excess of that required to meet local needs, then that timescale will be reduced. The Council should have regard to the above considerations when assessing the desirability of recommending additional overall levels of development at Cuffley to the Examination.

Site HS31, Land west of St Martin de Porres Catholic Church

122. Discussion at the hearing suggested that a viable site may not be deliverable in this location during the plan period. If the site's delivery cannot be appropriately confirmed, then it should be removed from the plan.

Sites HS 29 & 30, Land north of Northaw Road East

123. These sites were not individually assessed in the stage 3 GB review but were assessed as a part of a much larger parcel to the north. Their harm rating was assessed as high. However, HS 30, part of which is previously developed land, was separately assessed by the stage 2 review. It concluded that the site only made a partial contribution to the relevant GB purposes. It also found that in order to create a logical GB boundary, HS 29 would need to be developed at the same time.
124. The land slopes to the north and a landscaped strip along that boundary accompanied by appropriate earthworks, if carefully designed, could create a defensible boundary to screen the sites from the wider countryside GB. Nevertheless, although part of the site contains dwellings set in large gardens, a building containing a design consultancy and some sheds, much of HS 30 consists of paddocks, which are not previously developed land and fundamentally from a GB perspective are open.

125. The demonstration of exceptional circumstances to remove these sites from the GB will partly depend upon the relative amount of overall development that is justified at Cuffley and the deliverability of the other proposed sites, as well as the above site considerations. The other sites currently before the Examination are sequentially better located from a movement perspective and I consider them all to be sound or capable of being made sound.

Gypsy and traveller provision

126. Current supply of permanent and temporary sites for Gypsy and Traveller and Travelling Show People is below the identified need. A robust assessment has established a requirement for about 60 new pitches to be delivered during the plan period. Twenty-two pitches would be delivered by expanding existing sites, the remainder would be on new sites. These would be at the four urban extensions and on an isolated site on Coopers Green Lane.
127. The latter is meant to be provided through an off-site financial contribution from the Symondshyde development. However, such a development would be inappropriate development in the GB and this should be avoided where possible. This proposed location would have an unnecessary impact on the openness of the countryside GB through which the Welwyn-Hatfield Green Corridor would pass (Policy SP 12). I have therefore asked the Council to relocate this proposal within the land that would be removed from the GB to provide for the Symondshyde proposal (SP 24) and to amend the site-specific policy considerations accordingly.

Conclusion

128. Welwyn-Hatfield has developed a successful economy of at least sub-regional importance over the last quarter century. However, this importance and the success generates substantial housing need. Infrastructure constraints, which weigh against additional in-commuting by car and housing affordability issues within the Borough itself, are documented in the Examination's evidence base. It is important that, as well as ensuring that everyone has a decent home, economic growth should not be hampered because of a shortage of housing, a very expensive housing market and overloaded infrastructure. The strength of the local economic base and the problems of housing affordability are persistent characteristics, having been well established during the plan's preparation and long before the plan was submitted.
129. The ability of householders to afford housing is an important challenge in Welwyn-Hatfield. In terms of market housing, the relationship of property prices to earnings has, overall, risen significantly over the last decade, to the detriment of low-income households in the Borough. The plan's housing requirement needs to address this serious issue of market housing supply and relative cost. This, if reflected in the housing need target and when combined with Policy SP 7, which seeks to provide a quantum of affordable housing through private sector development, ought

to contribute towards meeting the affordable housing needs of the Borough, by making housing overall more affordable.

130. My conclusion at this point therefore is that the housing requirement as currently proposed (16,000 homes from 2016 to 2036), or as could be modified in the light of the 2018 household forecasts, is justified. In my view, a fundamentally lower housing requirement would not support the national objective to boost the supply of housing, which is as relevant in Welwyn-Hatfield as anywhere. It would also fail to address housing affordability issues, affordable housing need and the housing impediments to the successful economic growth of the Borough.
131. Additionally, it would be likely to result in increased inward commuting, which would be inconsistent with the infrastructure constraints and would not be consistent with sustainable development. Moreover, the Council has not provided evidence that demonstrates that it has sought the help of neighbouring authorities through the Duty to Cooperate in providing for any unmet housing need.

Way forward

132. This Examination has now been in progress for nearly three and a half years. It is not acceptable for Examinations to continue indefinitely and I have serious concerns about the time the overall process is taking and the continued slippage of previously agreed timetables. Welwyn-Hatfield desperately needs an adopted Local Plan so that the development industry can get on with its job of building the additional homes that the Borough's citizens desperately need now. A prolonged Examination is also not satisfactory from the perspective of the many individuals and organisations who are participating in the process.
133. The fundamental issues that relate to the soundness of this plan were discussed at length nearly three years ago and a way forward agreed shortly afterwards. Although there was progress initially, that subsequently slowed and since the beginning of this year the resolution of the soundness issues appears to have moved into a state of stasis. I have therefore concluded that it is imperative that this Examination is brought to a close without further delay.
134. In the light of the above conclusion it appears to me that the Council has two main options: -
- **To propose additional housing sites, sufficient to meet the FOAHN, that could become MMs.**
- or
- **To withdraw the Plan from examination.**

I would invite it to confirm which of these options it proposes to take on or before 30 November 2020.

135. Assuming that it wishes to pursue the first option, then I would require all of the relevant evidence to have been submitted by 31 December 2020. That should include
- **The position on the FOAHN figure, having taken account of the 2018 household forecasts by Monday 16 November 2020**
 - **Details of the additional sites that will make up the supply of housing land to meet the FOAHN figure, along with any evidence that has been used in their selection that is not already before the Examination by 30 November 2020.**
 - **A housing trajectory that illustrates the five-year housing land supply position. If the Council is unable to meet this without a stepped trajectory, then it should provide a full justification for this course of action by 31 December 2020.**
 - **Additional evidence to demonstrate that the New Village at Symondshyde is the most sustainable and deliverable option to make up any perceived shortfall in the FOAHN, including because of a shortage of more sustainable and deliverable options, by 31 December 2020.**
 - **Responses to all of the other outstanding requests for additional information by 31 December 2020.**
136. If I do not hear from the Council/receive the information by any of the three deadlines above, then I will proceed to write a report confirming that the submitted plan is unsound and so cannot be adopted. Also, that it has not been possible to arrive at a position where MMs could be recommended to make it so within a reasonable timescale.
137. If the Examination proceeds, then it may be necessary to undertake a limited amount of consultation on matters that are new to the Examination, unless they have been adequately consulted upon already by the Council. In this context I understand that it undertook a consultation on additional sites earlier this year. That should be submitted to the Examination immediately, along with the evidence that influenced its latest site selection process.
138. The Council has been preparing a draft schedule of MMs for consultation and updating its SA throughout the Examination. The Council will subsequently need to make a formal request under Section 20(7C) of the 2004 Act, asking me to recommend MMs that would make the Local Plan sound and legally compliant. A schedule of proposed MMs would then need to be agreed between myself and the Council.
139. As well as MMs to increase the housing provision, the schedule would contain more detailed MMs to other plan policies that I consider are likely to be necessary in the light of the representations on the plan and the discussions at the hearing sessions. Some of these have been discussed

above, others are set out in hearing session round-up notes. Once the MMs have been agreed, they would need to be the subject of full public consultation for a minimum of six weeks, and I would need to consider all the responses to the consultation before producing my report and recommendations.

140. Should the Council decide to pursue the first option, it will also need to consider whether it is necessary for further SA and/or SEA work to be carried out and consulted upon. The PPG advises:
- “It is up to the plan-making body to decide whether the sustainability appraisal report should be amended following proposed changes to an emerging plan ... If the plan-making body assesses that necessary changes are significant, and were not previously subject to SA, then further SA may be required, and the sustainability report should be updated and amended accordingly.”
141. The Council may also wish to bear in mind that it is possible that the responses to public consultation on the MMs may give rise to the need for further hearing sessions. On this point, the Planning Inspectorate’s Procedure Guide for Local Plan Examinations advises at paragraph 6.9:
- “The Inspector will consider all the representations made on the proposed MMs before finalising the examination report and the schedule of recommended MMs. Further hearing sessions will not usually be held, unless the Inspector considers them essential to deal with substantial issues raised in the representations, or to ensure fairness.”
142. In addition, if the further consideration of the official 2018-based household projections results in a higher or lower FOAHN, then further consideration will need to be given to any implications that the figure may have for the soundness of the housing proposals in the Plan. Given that the plan is proposing sites within the GB for development, if the FOAHN reduces, then there will be reduced justification for exceptional circumstances, and it may be necessary to remove some housing proposals in the GB from the plan.
143. I am not inviting comments from anyone, other than the Council on the contents of this letter. Before the above deadlines, I will, however, be pleased to assist with any queries the Council may have.

Melvyn Middleton

INSPECTOR

16 October 2020

Abbreviations

BGS	Birchall Garden Suburb
ds	dwellings
dpa	dwellings per annum
EX	Examination Document
Framework	National Planning Policy Framework 2012
FOAHN	Full Objectively Assessed Housing Need
GB	Green Belt
HELAA	Housing and Economic Land Availability Assessment
MMs	Main Modifications
SA	Sustainability Appraisal