

WELWYN HATFIELD BOROUGH COUNCIL
CABINET PLANNING AND PARKING PANEL – 11 NOVEMBER 2021
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING
AND GOVERNANCE)

RESPONSE TO HERTSMERE BOROUGH COUNCIL – NEW LOCAL PLAN
CONSULTATION

1 Executive Summary

- 1.1 Hertsmere Borough Council (HBC) is in the process of preparing a new Local Plan. The new Hertsmere Local Plan (HLP) will guide the future spatial development of borough up to 2038, and beyond.
- 1.2 The Draft HLP Regulation 18 document has been approved for consultation with consultation responses required by 6 December 2021 (the deadline has been extended from the previously advertised date of 22 November).
- 1.3 Provision will be made for at least 12,160 new homes, a minimum of 760 homes a year, up to 2038 with a large proportion of the borough's future development needs provided by four main areas of Borehamwood and Elstree, Potters Bar, Bushey and the new settlement of Bowmans Cross.
- 1.4 The draft HLP proposes 6,000 homes at the new settlement of Bowmans Cross together with supporting infrastructure and employment/business facilities. This will be delivered through 2,400 dwellings proposed within the plan period up to 2038 and a further 3,600 will be delivered beyond the plan. This new settlement is adjacent to the boundary with Welwyn Hatfield and St Albans.

2 Recommendation(s)

- 2.1 That the Cabinet Planning and Parking Panel agree the consultation response provided in Appendix A.

3 Explanation

- 3.1 Hertsmere Borough Council (HBC) is in the process of preparing a new Local Plan. The new Hertsmere Local Plan 2022 - 2038 will guide the future spatial development of up to 2038, and beyond.
- 3.2 The Draft HLP was considered by HBC full Council on 30 September and has been published for public consultation. Preparation of the HLP began in 2016 and has been through the following stages:
 - a) Preliminary consultation on the Local Plan and Call for Sites - 2016
 - b) Regulation 18 Issues and Options consultation – 2017
 - c) Potential Sites for Housing and Employment consultation – 2018

- d) Employment Call for Sites consultation – 2021
- e) Regulation 18 draft Local Plan – 2021 (Current Stage)

- 3.3 This draft plan is a further Regulation 18 consultation document. It represents an advancement on the 2017/2018 Issues and Options and Potential Sites for Housing and Employment consultations, in that it identifies a preferred level of growth and sets out a preferred spatial strategy and related policies for accommodating this growth. It is supported by an evidence but the Sustainability Appraisal is still in preparation.
- 3.4 The next stage of the Local Plan following this consultation is the publication of the proposed submission plan (Regulation 19).

Housing Need and Spatial Strategy

- 3.5 The current standard method for calculating the minimum annual local housing need set out in Planning Practice Guidance indicates a need for the delivery of 724 per year. The draft Plan identifies the Local Plan target for delivery of new homes is set at 760 (minimum) new homes a year which includes a 5% buffer. This equates to a total minimum target of 12,160 homes in the 16 year period from submission of the Local Plan in 2022 to 2038 (15 years from the anticipated date of adoption). The 5% increase in delivery over the standard methodology is to ensure choice.

Bowmans Cross

- 3.6 The draft Local Plan proposes 6,000 homes at the new settlement of Bowmans Cross together with supporting infrastructure, retail, leisure and employment opportunities. The plan suggests that reliance on the car will be reduced through the provision sustainable transport connections both within the new settlement and surrounding communities. A total of 2,400 dwellings of the 6,000 proposed are identified as being within the plan period up to 2038 with the remaining 3,600 to be delivered beyond the plan. There is an accompanying concept diagram but it is unclear the extent of land that will be developed during the plan period.
- 3.7 7,000 sqm of additional retail floorspace have been identified during the plan period but with less than half the development coming forward within the plan period there must be concerns that this will be delivered by 2038. 15,000 sqm of office floorspace have also been identified within the plan period.
- 3.8 The Policy for the area refers to a comprehensive masterplan, and that development must be brought forward in accordance with a planned and co-ordinated approach for the area.
- 3.9 It is proposed that our response should raise concerns regarding the potential deliverability of a sustainable settlement within the plan period and the impacts of substantial new development in this location particularly as it adjoins a number of wildlife sites within Welwyn Hatfield.
- 3.10 The draft response identifies concerns around the implications of the proposed level of development on infrastructure, including to the A414 and the lack of detail relating to the new sustainable transport links.

- 3.11 Concerns regarding any impacts on nearby designations within Welwyn Hatfield borough including Redwell Wood, which is a Site of Special Scientific Interest (SSSI), and a number of other designated wildlife sites and the sufficiency of the green buffer is also highlighted.
- 3.12 Development of Bowmans Cross will narrow the Green Belt between Colney Heath and the new settlement. The Hertsmere Green Belt assessments identify this area as a significant part of a Green Belt parcel that is strongly performing, particularly with regard to preventing encroachment into the countryside and preventing coalescence between settlements.
- 3.13 As with all Green Belt release, exceptional circumstances will be need to be demonstrated to justify not only the release of land from the Green Belt but also the choice of sites. As there is no sustainability appraisal or site selection assessment published on their website it is unclear how this site compares in comparison to others from the information made available on their website.

Potters Bar

- 3.14 It is proposed that this Council's response also express concern relating to provision of adequate infrastructure relating to the proposed development at Potters Bar, and in particular the site located on the Potters Bar Golf Course (site reference PB2).
- 3.15 It is indicated that the southern half of the golf course (closest to the existing urban area of Potters Bar could be redeveloped for housing. A capacity of 500 homes is identified. The site is within the Green Belt and forms part of the relatively fragile gap between Potters Bar and Brookmans Park. The cumulative impact on the Green Belt and the impact on its ability to prevent urban sprawl from London along the A1M/A1000 corridor would needs to be considered. However, the site is enclosed by existing development on three sides and its development would not extend the urban area of Potters Bar any further north than at present.
- 3.16 The proposed sites identified around Potters Bar have a combined capacity of 1,750 units, if these sites were to be allocated as part of Hertsmere's preferred development strategy there would be strategic infrastructure implications that would need to be addressed as part of the duty to cooperate.
- 3.17 Reference in the consultation document is made to Chancellor's School. It is unclear if there is an expectation that the school could make secondary school provision for children in the Potters Bar area. Our response should make clear that any capacity at this school is required to meet Welwyn Hatfield's needs

3.18 Consultation Response

- 3.19 A response to the Draft Hertsmere Local Plan 2021 (Regulation 18) consultation is included as Appendix A. The response highlights the concerns set out above.

3.20 Next Steps

- 3.21 Once consultation on this draft plan has finished Hertsmere Council will consider all of the comments received and use them to help inform its decision making on the next stage of the plan preparation process. This is likely to be the preparation of the final draft plan that will eventually be submitted to the Secretary of State for independent examination.

Implications

4 Legal Implication(s)

- 4.1 There are no direct legal implications associated with this report. However, it should be noted that 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.
- 4.2 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.
- 4.3 A Duty to Cooperate Compliance Statement will accompany the next version of the Hertsmere Local Plan and will be updated before it is submitted to the Secretary of State with the Local Plan alongside other supporting documents.

5 Financial Implication(s)

- 5.1 There are no financial implications arising directly in relation to this report.

6 Risk Management Implications

- 6.1 There are no risk management implications arising directly in relation to this report. Responding to neighbouring Authorities consultations ensures that potential areas of concern, which could have both direct and indirect implications for Welwyn Hatfield, are identified and highlighted as appropriate.

7 Security and Terrorism Implication(s)

- 7.1 There are no security and terrorism implications arising directly in relation to this report.

8 Procurement Implication(s)

- 8.1 There are no procurement implications arising directly in relation to this report.

9 Climate Change Implication(s)

- 9.1 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.

10 Human Resources Implication(s)

- 10.1 There are no Human Resources implications arising directly in relation to this report.

11 Health and Wellbeing Implication(s)

- 11.1 There are no specific health and wellbeing implications associated with this report. The Hertsmere Plan relates to its administrative area and contains policies on health and wellbeing.

12 Communication and Engagement Implication(s)

- 12.1 There are no communication and engagement issues associated with this report.

13 Link to Corporate Priorities

- 13.1 The subject of this report is linked to the Council's Business Plan 2018-21 and, in particular, Priority 3 Our Housing - to plan for current and future needs and Priority 4 Our Economy – sustainable growth. Responding to other authorities' consultations helps this Council to meet these priorities effectively.

14 Equality and Diversity

- 14.1 An Equalities Impact Assessment (EqIA) was not completed because this report does not propose changes to existing service-related policies or the development of new service-related policies.

Hayden Kreetzer
Planning Officer

Matthew Wilson
Principal Planning Officer

15 October 2021

Background papers

- Draft Hertsmere Local Plan Consultation:
<https://www.hertsmere.gov.uk/Planning--Building-Control/Planning-Policy/Local-Plan/New-Local-Plan/New-Local-Plan-Planning-for-Growth.aspx>

Appendix A: Draft Hertsmere Local Plan consultation response

Hertsmere Draft Local Plan (Regulation 18) consultation 2022-2038

Thank you for informing us of your Council's consultation on the Draft Hertsmere Local Plan (Regulation 18) and inviting our views.

We note the overarching spatial strategy is to provide for sustainable growth with supporting infrastructure across the borough, delivering a healthy, sustainable, connected, high quality and economically viable environment that meets the needs of all the borough's communities, to 2038 and beyond. Also, that provision will be made for at least 12,160 new homes up to 2038, at least 760 homes a year, with a large proportion of the borough's future development needs to be provided by four main areas of Borehamwood and Elstree, Potters Bar, Bushey and the new settlement of Bowmans Cross.

Our comments and concerns are set out below.

New Settlement – Bowmans Cross (Site NS1)

We understand the Hertsmere Local Plan proposes 6,000 homes at the new settlement of Bowmans Cross together with supporting infrastructure and employment/business facilities. This will be delivered through 2,400 dwellings proposed within the plan period up to 2038 and a further 3,600 will be delivered beyond the plan.

We support the proposed masterplanned approach detailed in the plan but have concerns regarding the delivery of a sustainable new development in this location and its supporting infrastructure during the plan period with over half its residential development to come forward after 2038.

In our response to the Issues and Options (2017) and the Potential Sites for Housing and Employment (2018) consultations we highlighted the need to consider the potential infrastructure implications. This should include implications on the A414 of bringing forward such a significant site. There is a lack of detail in the consultation document of the proposed sustainable transport links and whether the necessary supporting services and facilities can be provided to support the plan period allocation of 2,400 dwellings.

We note the illustrative site diagram that accompanies the site specific relating Site NS1: Land at Coursers Road, Bowmans Cross New Settlement. While the diagram is high-level and conceptual, we would expect to see significant landscaping boundary treatment on the eastern boundary, screening the site from long distance views from the north-east and a buffer from sensitive landscape areas to the east. The area of landscaping on the eastern boundary appears to be limited to existing tree and vegetation and is unlikely to be wide enough to prevent any impact on the biodiversity of neighbouring wildlife sites and Redwell Wood, which is a Site of Special Scientific Interest (SSSI).

The allocation of this site will contribute to the narrowing of the Green Belt between Colney Heath and the new settlement. In Stage 1 and 2 Green Belt assessments, this area was identified as a significant part of a Green Belt parcel that is strongly performing, particularly with regard to purpose 3, preventing encroachment into the countryside. This site was also identified as making a significant contribution to Purpose 2 preventing the merging of London Colney, Potters Bar and Shenley. The assessment concludes that the parcel is not recommended for further consideration. It is not clear from the information published on the consultation pages of your website how this site compares to other options and the nature of the exceptional circumstances for its release from the Green Belt.

Due to the scale of development envisaged, it is considered necessary for the plan to set out how each key phase of the new settlement will be delivered, including an indicative phasing plan for the delivery of infrastructure. This is to ensure the infrastructure implications of the

development are fully understood, especially as a significant proportion of the growth is outside the plan period.

Potters Bar

We note that the draft Plan proposes 1,750 dwellings at Potters Bar. We would once again like to reiterate the comments that we made as part of the Potential Sites for housing and employment consultation.

The site with the strongest relationship to Welwyn Hatfield is Potters Bar Golf Course (site reference PB2) which is north of Potters Bar. It is indicated that the southern half of the golf course (closest to the existing urban area of Potters Bar) could be redeveloped for housing. A capacity of 500 homes is identified. The site is within the Green Belt and forms part of the relatively fragile gap between Potters Bar and Brookmans Park. It is noted however that site is enclosed by existing development on three sides and its development would not extend the urban area of Potters Bar any further north than at present.

The proposed sites identified around Potters Bar have a combined capacity of 1,750 units, if these sites were to be allocated as part of Hertsmere's preferred development strategy there would be strategic infrastructure implications that would need to be addressed as part of the duty to cooperate.

We note on page 35 in relation to education infrastructure required to support growth, there is mention of Chancellor's school, Brookmans Park. Whilst this is within the Potters Bar school planning area, the ability of this school to meet needs arising from development in Potters Bar will be severely limited, as capacity at the school will be required to meet the needs arising from development proposed in the draft Welwyn Hatfield Local Plan.

Infrastructure

In making decisions over which sites to include in Hertsmere's Local Plan, careful consideration will need to be given to the infrastructure implications of growth proposed in Welwyn Hatfield. Particular regard should be had to proposed allocations in the Welwyn Hatfield Local Plan in the south of the borough. Consideration needs to be given to potential increased traffic on the A414 and A1M as a result of the proposed growth. Welwyn Hatfield supports continued cooperation with Hertsmere Borough Council and other infrastructure providers to ensure that proposed growth is supported by the necessary infrastructure including education facilities, health facilities and community and sporting facilities.

Welwyn Hatfield draft Local Plan

As you may be aware, the Welwyn Hatfield draft Local Plan was submitted to the Secretary of State in 2016 and the examination remains ongoing. Stage 9 hearing sessions concluded in March 2021 and the Council received the Inspector's feedback in July. The Council is reviewing the Inspector's findings and observations ahead of a Full Council decision on the next stages.

The Council notes the Draft Hertsmere Local Plan and requests that we are kept informed as the plan progresses. The Council continues to be willing to constructively engage as part of the duty to cooperate arrangements for both the Welwyn Hatfield and Hertsmere Local Plans respectively.