

WELWYN HATFIELD BOROUGH COUNCIL  
CABINET HOUSING AND PLANNING PANEL – 18 FEBRUARY 2016  
REPORT OF THE DIRECTOR (GOVERNANCE)

ST ALBANS STRATEGIC LOCAL PLAN CONSULTATION

**1 Executive Summary**

- 1.1 St Albans District Council is inviting representations on its Strategic Local Plan, which sets out the long-term planning strategy for the City and District of St Albans. The consultation period runs for 6 weeks, closing at 5pm on Friday 19 February 2016.

**2 Recommendation(s)**

- 2.1 That the issues set out in the report form the basis of a response to St Albans City and District Council.
- 2.2 That the Head of Planning be given delegated powers to agree the consultation response following consultation with the Executive Member for Planning.

**3 Financial Implication(s)**

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

**4 Link to Corporate Priorities**

- 4.1 The subject of this report is linked to the Council's Corporate Priority 3 (Our Places).

**5 Legal Implication(s)**

- 5.1 The Duty to Cooperate is a legal requirement, which is taken into account in the examination of Local Plans. Public bodies have a duty under the Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011, to cooperate on the preparation of planning documents so far as they relate to a strategic matter (the Duty to Cooperate). Strategic matters are defined as those that would have a significant impact on at least two planning areas – further detail is set out at paragraph 8.3. Those matters identified as strategic cross boundary issues, will have duty to cooperate implications.
- 5.2 Local planning authorities that are unwilling to cooperate and unable to provide robust evidence to support a strategy that does not plan for the unmet requirements of another local planning authority may fail the test of compliance with the duty to cooperate or their plan may be found unsound .

## **6 Climate Change Implication(s)**

- 6.1 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 this has been assessed as part of the sustainability appraisal report produced to accompany the St Albans Local Plan.

## **7 Risk Management Implications**

- 7.1 There is a risk in not responding to St Albans' consultation as it raises a number of areas of concern and could impact on how Inspectors view both the St Albans Local Plan and the Welwyn Hatfield Local Plan if these matters are not raised.

## **8 Policy Implications**

- 8.1 The policies in a Local Plan need to be justified by the evidence. The NPPF requires local planning authorities to use their evidence base to ensure that their local plans meets the full objectively assessed need for market and affordable housing in the market area where this is consistent with other policies in the NPPF.
- 8.2 In accordance with the NPPF, a local planning authority should submit a plan for examination by an independent inspector which it considers to be 'sound'. In responding to consultation on a draft plan at its publication stage (known as the 'Regulation 19' stage), consultees are therefore required to formally object if they have concern that a plan is unsound. The NPPF has four criteria for soundness:
- **Positively Prepared** – The plan should seek to meet all objectively assessed development requirements, including unmet requirements from neighbouring authorities, as long as it is reasonable to do so and consistent with achieving sustainable development;
  - **Justified** – The plan should comprise the most appropriate strategy when considered against alternatives, based on proportionate evidence;
  - **Effective** – The plan should have no significant barriers to delivery, and be based on effective joint working on cross-boundary strategic priorities; and
  - **Consistent with national policy** – The plan should deliver sustainable development, in accordance with the NPPF.
- 8.3 As highlighted at paragraph 5.1 above, public bodies have a duty to cooperate on planning issues that cross administrative boundaries. This is particularly crucial where it relates to the strategic priorities set out in paragraph 156 of the NPPF:
- The need for homes and jobs in an area;
  - The provision of retail, leisure and other commercial development;

- The provision of infrastructure for transport, telecommunications, waste management, water supply and waste water; the management of flood risk; and the provision of minerals and energy (including heat);
- The provision of health, security, community and cultural infrastructure; and
- Climate change mitigation and adaptation, and the conservation and enhancement of natural and historic environments and landscapes.

## 9 Background

9.1 Welwyn Hatfield responded to the previous draft version of its Strategic Local Plan in November 2014 (CHPP 13 November 2014). In summary, the issues raised at that time were:

- **Housing Market Area:** Welwyn Hatfield engaged with St Albans on its SHMA and both SHMAs identify a housing market cross-over between the two local authority areas. Further joint working expected to take place in light of outputs from respective SHMAs.
- **Housing and Employment Growth:** Paragraph 158 of the NPPF advises that assessments and strategies for housing and employment growth should be integrated and take account of market signals.
- **Migration assumptions:** There was a concern that a low migration scenario had been selected as the Objective Assessment of need and whether this would have implications for neighbouring authorities.
- **Housing Target:** The need for clarification around how the housing target for St Albans had been arrived at and why certain strategic sites had been taken forward and not others.
- **Strategic allocations:** The allocation to the east of St Albans, which falls within the Welwyn Hatfield Housing Market area, would deliver a lower level of housing than suggested in the Welwyn Hatfield SHMA. It was unclear if St Albans considered there to be infrastructure constraints, e.g. cumulative impact on transport infrastructure.
- **The economy and the need for employment land** – appeared to rely upon evidence from 2006 and 2009 and it was unclear what number of jobs St Albans would be planning for, and how this relates to the Hertfordshire LEP Strategic Economic Plan.
- **Employment Land/FEMA:** Retaining employment land and making new employment land provision was welcomed but it was unclear what was meant by ‘the wider area’, especially as St Albans had not identified a FEMA (functional economic market area) or if there was an expectation that neighbouring areas would meet some of St Albans’ needs.
- **Gypsies and Travellers:** Unclear what target St Albans would be working towards for meeting the needs of groups such as Gypsies and Travellers and how this would be delivered.

## 10 Explanation

- 10.1 St Albans District Council is seeking views on its *Publication Draft Strategic Local Plan 2011-2031*, which sets out the long term planning strategy for the district.
- 10.2 Turning to the current consultation document, the following issues have been identified.
- 10.3 **Housing Market Areas**: The Welwyn Hatfield 2014 SHMA identified a wide housing market area, with functional relationships with other local authority areas including St Albans. A more detailed analysis at ward level identified a more tightly defined Welwyn Hatfield Housing Market Area, which identified cross boundary relationship with the eastern part of St Albans. The St Albans SHMA 2013 also identified an east-west cross boundary market relationship with Welwyn Hatfield within its Core Housing Market Area and included Welwyn Hatfield within its wider Housing Market Area. Thus, there is recognition of a cross boundary relationship in the two separate studies.
- 10.4 However the South West SHMA (commissioned by Dacorum, Hertsmere, Three Rivers and Watford, published on 8<sup>th</sup> February 2016) also identifies a Housing Market Area based on a 'best fit' of relevant local authority boundaries which includes St Albans but not Welwyn Hatfield. It does however recognise a housing market interaction between St Albans and Welwyn Hatfield (and hence the SW Herts HMA and Welwyn Hatfield), which are to be expected at the edge of a housing market area.
- 10.5 **Objective Assessment of Need and Housing Target**: Like Welwyn Hatfield, St. Albans has updated its evidence on its Objective Assessment of Need. In December 2013, St Albans published its SHMA. One of its key findings was that there was a (net) need for **11,724** additional homes in St Albans and District between 2011 and 2031 (a twenty year period), an annual average of **586** homes (page 259).
- 10.6 In their 2014 consultation document, St Albans stated that "*the consultants gave a range of options from 436 to 747 dwellings each year. We felt that 436 was an appropriate projection on which to base the draft Local Plan*". However, SHMAs are regularly informed by a number of scenarios and it does not necessarily follow that the range of scenarios referred to by St Albans all represent a full Objectively Assessed Need, as opposed to a range of modelled scenarios that required a conclusion to be drawn from.
- 10.7 It appeared that St Albans had selected a low migration scenario and in 2014, Welwyn Hatfield in its response to a consultation document, queried whether such a low migration scenario (which is without any consideration of the need for an uplift as set out in Planning Practice Guidance) would have any implications for neighbouring local authorities. (Planning Practice Guidance advises that planning authorities should assess their development needs working with other local planning authorities in the relevant housing market in line with the Duty to Cooperate)

- 10.8 Since the last consultation, the CLG 2012 based household projections have been published which point to growth of about **12,700** households over the period 2011-2031 (**635** per year for a twenty year period).
- 10.9 A St Albans SHMA Update report was issued in October 2015. Section 4 deals with the need for housing. It refers back to the original 2013 SHMA but applies two further scenarios; one is a dwelling constrained scenario (a policy constrained construct), the other based on a 10 year migration led scenario. However, 2012 based headship rates do not appear to have been applied and no allowance has been made for vacancy rates as this is assumed to be off-set by a surplus of sheltered housing. Applying the migration-led 10 years Scenario, the report concludes that there is a net need for 8,882 additional homes in the St Albans and District area between 2011 and 2031. This report does not however appear to recommend that this is the full Objectively Assessed Need.
- 10.10 Whilst there is no one (correct) methodology, Planning Practice Guidance makes it clear that household projections published by CLG should provide the starting point estimate of overall need. Whilst adjustments may be made to reflect local factors affecting household formation rates, it specifically points to the likelihood of any historical suppression of household formation rates and whether these have been constrained by supply. The CLG household projections are considered to be robust and any sensitivity testing specific to local circumstances need to be justified with robust evidence.
- 10.11 The St Albans SHMA also does not take into account likely changes in job numbers based on past trends or future forecasts; market signals such as house prices or rents rising faster than the national/local average; or relative affordability (ratio of house prices to incomes). Planning Practice Guidance indicates that these factors may lead to a need for an uplift above the demographic projection.
- 10.12 The South West Herts SHMA takes into account demographic and economic indicators, housing market dynamics, market signals and the need for affordable housing. It concludes (table 76) that the full OAN for St Albans is **705 dwellings per annum** (2013 – 2036). Translated to a 20 year plan period 2011-2031, this would suggest a full OAN for St Albans of **14,100** dwellings.
- 10.13 It is for St Albans to justify why it has selected its housing target of 436 dwellings per annum but care should be taken not to confuse a housing target (which may justifiably reflect local constraints and may be less than a full Objectively Assessed Need) with the full Objectively Assessed Need for housing. There is a risk that St Albans' evidence will be found not to be robust and a higher OAN will be considered more appropriate.
- 10.14 A housing target of 9000 dwellings may well be an appropriate target for St Albans in the light of its infrastructure constraints and impact on the Green Belt but this is not what has been argued in their plan. The Strategic Local Plan states (para. 6.37) that the target at 436 dwellings per annum is on the best evidence available to meet reasonable long term estimation **of needs in full**.
- 10.15 **Conclusion on the full OAN:** As the St Albans and Welwyn Hatfield SHMAs indicate that we share a Housing Market Area, the lack of a consistent set of assumptions raises issues for Welwyn Hatfield. In particular if concerns are not

raised with St Albans this could undermine the evidence to the Welwyn Hatfield Local Plan examination.

- 10.16 Welwyn Hatfield should express concern that different assumptions have been taken in deriving the full Objective Assessment of Need for St Albans to that applied in Welwyn Hatfield's SHMA; that Welwyn Hatfield is concerned that the Inspector will not consider their approach to assessing their full OAN to be robust in terms of its approach to the CLG household projections, the lack of any uplift in recognition of market signals, any analysis of the needs of the economy, the formation rates of younger households, the affordability of housing and the need for affordable housing.
- 10.17 St Albans may consider that 436 dwellings per annum is an appropriate housing target based on considerations relating to infrastructure and the impact on the Green Belt and this needs to be set out in the document. Welwyn Hatfield should confirm that it is unable to meet any shortfall in housing.
- 10.18 **Broad Locations and Small scale Green Belt development**: The target will be met through the delivery of the same four broad locations included in their previous consultation and a number of smaller sites. As this is a strategic document there are no details relating to the smaller sites.
- 10.19 A number of parishes within SADC have been formally designated as Neighbourhood Plan Areas. Sites identified through Neighbourhood Plans will be in addition to the housing target set in the plan.
- 10.20 **Settlement Hierarchy and Retail Hierarchy**: The Spatial Strategy (Policy SLP1) places London Colney in the same level within the Settlement Hierarchy as the City of St Albans and the town of Harpenden. It is understood that this is because of the population growth which has taken place and likely future anticipated growth which means it is now too large to still be considered a village. They are then described jointly as being the most sustainable locations for development, as the widest range of services and facilities are accessible.
- 10.21 The retail hierarchy however defines the centre as a district rather than a town centre, a lower level of provision than its Major Town Centre (St Albans) and its Town Centre (Harpenden). The role of a District centre is defined as providing food and grocery shopping facilities, supported by a limited range of other shops and non-retail services situated within and serving their local communities.
- 10.22 Colney Fields lies outside the retail hierarchy and would remain an 'out of centre' shopping destination. This would mean that any increase in retail floorspace over a certain threshold would need to demonstrate that there was no impact on other centres including Welwyn Garden City and Hatfield town centres.
- 10.23 **Major Retail Development**: Policy SLP19 envisages an extension to what is described as S3: Colney Fields (London Colney) the Ridgeview site. It is understood that this proposal has recently received consent although this is not clear from the document itself. The SLP supporting text, refers to the performance of St Albans City Centre, its fall in market share, its good choice of multiple and independent shops, and the need to meet retail need in the early part of the plan period. It concludes that further limited (unspecified) retail development at Ridgeview (London Colney) would have only a modest impact on

the turnover of St Albans City Centre which demonstrates different trading characteristics; and other (unspecified) centres within and outside the district. The recently published SW Herts Economy Study identifies St Albans within the SW Herts FEMA on a 'best fit' whole local authority basis. It is recommended that a representation is submitted seeking clarification that the extension to Colney Fields referred to in the SLP, does not involve development over and above the recently permitted scheme.

- 10.24 **The economy and the need for employment land** – In 2014, Welwyn Hatfield responded to the earlier consultation on the draft SLP to the effect that the draft SLP appeared to rely upon evidence from 2006 and 2009 and it was unclear what number of jobs St Albans would be planning for, and how this relates to the Hertfordshire LEP Strategic Economic Plan. Further that whilst retaining employment land and making new employment land provision was welcomed, it was unclear what was meant by 'the wider area', especially as St Albans had not identified a FEMA (functional economic market area) or if there was an expectation that neighbouring areas would meet some of St Albans' needs. Welwyn Hatfield's evidence indicates that the two authorities share a Functional Economic Market Area.
- 10.25 However the recently published South West Herts Economy Study identifies St Albans but not Welwyn Hatfield within the SW Herts FEMA on a 'best fit' whole local authority basis.
- 10.26 The current consultation document does not appear to clarify this any further. It continues to be informed by a 2006 and 2009 dated evidence base, Policy SLP15 – Economic Prosperity and Employment (or the supporting text) fails to indicate what level of jobs growth St Albans seeks to work towards and the current evidence base does not appear to indicate how the district operates within a Functional Economic Market Area.
- 10.27 The SLP refers to supporting '*considerable job growth*' but does not indicate what level this growth is estimated to be or how this relates to employment land supply either within St Albans or within a FEMA. Policy SLP15 refers to the Council seeking a sufficient provision of employment land and floor-space but it is unclear what this means in land-use planning terms. It is noted that a Broad Location at East Hemel Hempstead will be expected (Policy SLP15) to make 'significant' provision for employment development and Policy SLP13b for East Hemel Hempstead South indicates a jobs target of 8,000 and 55ha of land for mixed use employment.
- 10.28 Further, it is not clear how account has been taken of jobs to be created in association with the new Rail terminal at Park Street or the increase in retail floorspace at Colney Fields or whether there will be a need to rely upon other areas to make good any possible unknown shortfall in employment needs.
- 10.29 **Conclusion on the economy and the need for employment land:** It is impossible for Welwyn Hatfield to take a view on the likely impact of St. Albans' approach to the economy as St Albans has not undertaken an up to date analysis of what is required and whether there is any shortfall. As an indicator, the East of England Forecasting Model (2014 Baseline) indicate that St Albans has the potential to deliver 15,800 additional jobs (between 2013 and 2031) with a corresponding increase in Workplace Employed People of 13,600 and the SW

Herts Economy Study has indicated a potential to deliver 16,200 additional jobs from 2013-2036. In these circumstances Welwyn Hatfield should raise a concern that an impact could arise should St Albans fail to provide sufficient employment land to meet considerable levels of job growth (whatever this might be).

- 10.30 **The needs of Gypsies and Travellers:** In 2014, Welwyn Hatfield responded to the earlier consultation on the draft SLP to the effect that it was unclear what target St Albans would be working towards for meeting the needs of groups such as Gypsies and Travellers and how this would be delivered.
- 10.31 Since then St Albans has published its Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment. This indicates that there is a current need for 21 additional pitches, plus a need for a further 58 pitches over the plan period to meet future needs arising from new household formation, net migration and pitches with temporary permission. A total need for **79 pitches**, which the assessment indicates should be viewed as a need for 47 pitches by 2019 with the remaining 32 pitches being required by 2031.
- 10.32 The relevant policy in the St Albans SLP (Policy SLP12) makes limited reference to the supply of additional pitches, it essentially being a Development Management policy setting out how proposals will be determined. Only one reference is made to new pitch provision, with two 15 pitch sites planned for one Broad Location. No reason is advanced for why the three other Broad Locations identified in the SLP are not to make some provision or how the under supply of 49 pitches would be addressed over the plan period.
- 10.33 In summary, National Planning Policy for Traveller Sites states that local planning authorities should set pitch and plot targets for gypsies and travellers and travelling showpeople which address the likely needs of travellers in their area, working collaboratively with neighbouring local planning authorities) protect local amenity and environment.
- 10.34 **Conclusion on Policy SLP12: Gypsies, Travellers and Travelling Showpeople.** The policy is informed by an up to date evidence base but the policy sets no target for pitch provision, other than for 30 pitches on two sites at one Broad Location. This falls far short of the need for 79 pitches its evidence base indicates will be needed by 2031. It is understood that St Albans consider that the change in definition may result in the need being reduced. However as provision has been made for less than 50% of the need even if this were the case it is unlikely that sufficient provision for new sites will have been made.
- 10.35 The implications of St Albans not setting a Local Plan target and not identifying sufficient sites to meet that target are that there could be an unmet need that other areas might find themselves under pressure to absorb through increased levels of unauthorised encampment or developments. The policy does not appear to be positively prepared and on this basis it is recommended that a response should be submitted from Welwyn Hatfield. Welwyn Hatfield should make it clear in its response that it has no potential to meet the shortfall.
- 10.36 **Green infrastructure:** Policy SLP27 sets out the approach that St Albans will take towards Green infrastructure. Mention is made of the creation of Ellenbrook Country Park in accordance with relevant planning agreements. Reference is also made to planning positively for provision across boundaries.

10.37 **Conclusion – Green infrastructure:** The SLP should note that the existing legal agreement may need to be amended in the light of any decisions yet to be made relating to Welwyn Hatfield's Local Plan, which may affect the extent of Ellenbrook Country Park, and the emerging proposals for green infrastructure linkages to and from the Country Park. It is also recommended that Figure 14 could show Green Infrastructure links across borough boundaries.

### **Equality and Diversity**

10.36 As this report does not relate to the development of a new or amended Welwyn Hatfield Council policy, an Equalities Impact Assessment has not been carried out.

Sue Tiley/Carol Hyland  
Governance  
8 February 2016