

WELWYN HATFIELD BOROUGH COUNCIL
CABINET PLANNING AND PARKING PANEL – 14 DECEMBER 2017
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

DACORUM BOROUGH COUNCIL LOCAL PLAN ISSUES AND OPTIONS
CONSULTATION DOCUMENT, NOVEMBER 2017

1. Summary

- 1.1 Dacorum Borough Council (DBC) have published their Local Plan: Issues and Options document for consultation between 1st November and 13th December. This will replace their Core Strategy (adopted in 2013); Site Allocations Plan (adopted in 2017) that covered the period 2006-2031; as well as the Development Management policies that were saved from their Local Plan (adopted in 2004) that covered the period 1991-2011. In line with the Inspector's recommendation, the Core Strategy is undergoing an early review due to; the need to reassess housing needs, approach to the Green Belt and the need to cooperate with neighbouring other councils (.e.g. St Albans) to meet their needs (.i.e. via Duty to Cooperate).
- 1.2 The DBC Local Plan (2017) will cover the period between 2013 and 2036. It has been informed by an evidence base which includes a Strategic Housing Market Assessment (2016), a Strategic Housing Land Availability Assessment (2016), and Sustainability Appraisal working notes for options in the Draft Plan and Schedule of sites (2017), etc.¹. They are intending to commission work for a Strategic Flood Risk Assessment, a Joint Traveller Needs Assessment, Transport Modelling Studies, Retail and Leisure Needs Study. Other evidence; such as ; the Infrastructure Delivery Plan, Sustainability Appraisal and the work relating to the identification of sites will be updated as the plan progresses.
- 1.3 Dacorum Borough Council have set an ambitious programme and are intending to produce a Pre-Submission (Publication) Plan for consultation in spring 2018 and submit it for an independent examination in autumn 2018.
- 1.4 The proposed response is set out in Appendix A

2. Recommendation (s)

- 2.1 That the Panel agree to the proposed response to the Dacorum Borough Council Local Plan Issues and Options Consultation (2017) set out in Appendix A.

3. Explanation

- 3.1 The DBC Local Plan consultation document is proposing a full review of the policies within their existing Development Plan Documents (set out in para 1.1). It sets out a range of topic based issues in relation to identifying; the area's future challenges for

¹ <https://www.dacorum.gov.uk/home%5Cplanning-development/planning-strategic-planning/new-single-local-plan/technical-work-for-the-early-partial-review>

accommodating and managing future growth and a strategic vision and objectives to address these; the scale of future development needs (.i.e. housing, employment, retail, traveller accommodation); settlement hierarchy to encourage development in the most sustainable locations; as well as the future role and function of the Green Belt and Rural Areas including the Chilterns Area of Outstanding Natural Beauty.

- 3.2 It is seeking to identify a policy approach to effectively manage new development and promote sustainable development. This relates to; delivering affordable housing and sustainable transport; design; the protection and enhancement of the built, natural and historic environment; as well as delivering new or enhanced infrastructure.
- 3.3 The consultation document consider the advantages of three growth options: (1) focused on the three towns; (2) greater focus on Hemel Hempstead; and (3) more even spread around the borough. A number of alternative growth options have already been rejected including that of a new settlement and that of another authority meeting some of their needs. At this stage no sites have been identified.
- 3.4 The principle of a new settlement has been ruled out on the basis that such a settlement would need to be self-contained in terms of services and facilities and therefore Dacorum consider it would need to be at least 5,000 dwellings.
- 3.5 It is considered that Dacorum has ruled out the option of a new settlement too early and that the potential for sustainable opportunities for smaller new settlements should be explored where there is the potential to establish good transport links to towns. Such an option would be compatible with their settlement hierarchy

Objectively Assessed Housing Needs and whether these will be met in full

- 3.6 The South West Hertfordshire Strategic Housing Market Assessment (SWH SHMA) 2016 defined the Housing Market Area (HMA); consisting of the administrative areas of Dacorum, Hertsmere, St Albans², Three Rivers and Watford Councils. But it noted that St Albans Council disagreed that it should be included within this HMA, even though the SW Herts SHMA indicated it had strong links (.i.e. house prices, migration and commuting patterns) with the rest of area and should be included.
- 3.7 The SWH SHMA 2016 used the CLG 2012 Sub National Population (SNP) projections and Household projections as a starting point for estimating the objectively assessed housing needs (OAHN) and therefore does not reflect the latest projections. It identified an OAHN of 756 dwellings per annum (dpa) or 17,388 dwellings for the plan period for Dacorum BC.
- 3.8 However, the Government's recent consultation on a standard methodology would result in a different OAHN. The consultation document has referred to the implications of this proposed methodology and the indicative figures which would arise from that. This estimated a capped housing need of 602 dpa³ (13,846 dwellings) and noted that this would increase to 1,000-1,100 dpa (25,300), if the adopted Plan is older than five years (.i.e. September 2018)⁴.

² Hertsmere and St Albans Councils also fall within the WHBC HMA

³ Annual increase in target capped at 40% increase of Core Strategy figure, if adopted in the last 5yrs

⁴ Based upon the Government's standard approach for calculating need in the "Planning for the right homes in the right places" consultation document (September 2017)

- 3.9 The consultation document indicated that an OAHN of 602 dpa (13,846 dwellings) would be a reasonable target. The borough has a potential existing urban capacity of 10,940 dwelling and this target would result in only land being released from the Green Belt which the Green Belt Review suggested plays a limited contribution to the purposes of it. Whilst, the locally assessed need of 756 dpa (17,388) reflects the SHMA's conclusions about the level of housing need, albeit based on the 2012 projections. If the SHMA were to be updated to take account of affordability and the latest projections it could be higher than the 17,388 dwellings. DBC have indicated that the upper figure of 1,100 dpa (25,300) dwellings (i.e. upper Government figure) also needs to be considered but in order to meet this, the evidence on housing land supply indicates that this would result in all the submitted sites coming forward regardless of their suitability.
- 3.10 At the current time, therefore, it is unclear; what DBC's OAHN figure is and consequently whether there are any physical, environmental or policy constraints which may prevent them from setting a housing target that will fully meet this, without resulting in any significant adverse impact or whether they have the potential to meet the needs of other authorities.
- 3.11 WHBC has requested that DBC should consider assisting us in meeting the unmet housing needs arising from the housing target in the submitted Local Plan (if they cannot be met by neighbouring authorities within our HMA), as St Albans and Hertsmere Councils fall within both of our HMAs. Our request has been acknowledged within the DBC Local Plan, which has also indicated that no other authorities within their HMA have yet made a similar request.
- 3.12 There will be a need for continuing dialogue under the duty to cooperate with Dacorum Borough Council and other authorities within the South West Herts HMA on housing need and housing land supply.

Meeting the housing needs of the Traveller Community

- 3.13 Dacorum is in the process of updating its evidence on the need for Gypsy and Traveller pitches. The consultation document indicates that if further pitches are needed it will continue the approach of seeking provision alongside major new housing development. No specific mention is made of the need for transit provision and the proposed response suggests that account should be taken in their evidence of needs arising from South Mimms which serves the whole of Hertfordshire.

Employment Needs and whether these will be met in full

- 3.14 The South West Hertfordshire Economic Study (2016) defined the SW Functional Economic Area (FEMA) as covering the Council areas of Dacorum, Hertsmere, St Albans and Three Rivers and Watford (i.e. same as SW HMA). But again the document has indicated that St Albans Council (who also fall within the WHBC FEMA), disagree that their area falls within this even though the above study noted there were clear links between the authorities and justified its inclusion.
- 3.15 The Economic Study forecasted that the number of jobs are likely to increase by 10,900 jobs (2013-2036) for Dacorum, largely within office roles, followed by warehousing and a decline in industrial jobs. This translated into an additional floor space requirement of 103,000 sqm for offices, -42,000 sqm for industrial, 44,000 sqm for warehousing. This resulted in a net requirement of 105,000 sqm or 13 hectares.

- 3.16 In the context of the above study, the Employment Land Availability Study (2017) undertook a detailed assessment of existing employment sites and whether they should be released for other uses; as well as the amount, type and distribution of employment land that may be required to address future needs for the period 2013-36. It recommended that approximately 18 hectares of new office uses may be required to achieve the proposed level of growth, based upon a revised calculations. Also, it suggested that demand for industrial/warehousing development is likely to be higher than assumed in the Economic Study.
- 3.17 The DBC Local Plan identified a number of potential employment sites to address their future objectively assessed employment needs and is considering whether they should be allocated. This includes; the strategic employment site at the Maylands Gateway area (23H) to the east of Hemel Hempstead; as well as sites off the A41 for industrial/warehousing and a site at Kings Langley potentially office use (18H)
- 3.18 The Maylands site is adjacent to the Green Lanes (i.e. the Gorhambury Estate) that St Albans Local Plan was proposing to allocate for 55 hectares of employment land (and 2,500 dwellings), before it failed the Duty to Cooperate. Both of these sites fall with the newly formed Enviro Tech Enterprise Zone. The DBC Plan indicates St Albans has informally agreed that some of the jobs created on the Green Lanes site will address Dacorum's needs (without providing any figures).
- 3.19 Currently, it is unclear whether DBC will be able to meet their own employment needs, or the unmet needs of neighbouring authorities. The main reasons are the needs may increase as a result of using a higher OAHN figure to set an appropriate housing target in order to achieve an appropriate balance between housing and employment growth, in line with the Para 37 NPPF. Also there is uncertainty in relation whether St Albans Plan will allocate Green Lane site and how much of this will meet DBC needs, as well as how much GB land plays a limited role for this designation/released. As with housing growth and land supply there will be a continuing need for dialogue on matters related to jobs and employment land supply.

Approach to Green Belt

- 3.20 A Joint Green Belt Review was undertaken on behalf of DBC, WHBC and St Albans Council (2013). This assessed land parcels against the national (Para 80, NPPF) and a local purpose test of the Green Belt. This identified smaller land parcels (strategic sub-area or a small scale sub-area) that made the least contribution to the designation.
- 3.21 The Stage 2 Green Belt Review and Landscape Appraisal (2017) considered the smaller land parcels identified as contributing least to the Green Belt purposes tests, other sites adjacent to urban areas/large villages in detail. It assessed; whether these parcels/sites contribute to the purpose of the designation, have a high/low landscape sensitivity value and recommended whether sites could be released, without having a detrimental impact on the integrity of the designation.
- 3.21 Based upon the above work, the DBC Plan has identified potential sites that have potential to be released from the Green Belt to address future employment needs. It notes that further sites may needs to be identified, depending upon the OAHN figure / housing target.

- 3.22 The DBC Plan did not include details of any specific sites or locations where Green Belt land may be released for accommodating housing growth. This is largely explained by the fact that there are uncertainties in relation to identifying an appropriate OAHN for setting a housing target due to Government's proposals for using a standard methodology for identifying an OAHN. Dacorum Borough Council will need to demonstrate that exceptional circumstances exist for the release of land from the Green Belt which should be based on the Calverton Test.

Approach to Infrastructure Constraints

- 3.23 The consultation document has outlined all the different types of infrastructure that may need to be provided related to different levels of growth.
- 3.24 However, it is unclear at this stage to what extent infrastructure improvements can be delivered or act as a constraint.
- 3.25 Although not an adjoining authority there are some cross boundary strategic infrastructure issues which will need to be considered as part of the Duty to Cooperate most notably sewerage infrastructure and the A414. Following the Hertfordshire wide Water Study which has yet to be published Dacorum Borough Council are undertaking a Stage 2 study. Both Dacorum Borough Council and WHBC are part of the A414 consortium which will consider a transport strategy for the route.

Conclusion

- 3.26 A proposed response is set out in Appendix A. Cross boundary strategic issues are defined in the NPPF and these include the homes and jobs needed in an area. Whilst Dacorum Borough Council lies outside the Welwyn Hatfield HMA and the Welwyn Hatfield FEMA, the South West Herts HMA and FEMA includes authorities which lie within both market areas.
- 3.27 The Welwyn Hatfield submitted Local Plan set a housing target below the OAHN and therefore other authorities need to consider whether or not they can meet that shortfall. Welwyn Hatfield has already indicated that it may need to look to Dacorum to meet some of its shortfall if authorities within its Housing Market Area are unable to meet the deficit.
- 3.28 At this early stage in plan preparation issues and options are being explored by DBC however some options have already been ruled out including the option of a new settlement. It is considered that this option merits further investigation by Dacorum as a means of meeting housing needs towards the end of the plan period and beyond.
- 3.29 The proposed response highlights the need for Dacorum to consider whether or not they can meet any shortfall within Welwyn Hatfield. It also refers to the need for joint working to consider how longer-term needs could be met including the implications for infrastructure provision such as sewerage and transport. It points out that to meet its housing target Welwyn Hatfield has had to propose the release of land from the Green Belt which has a significant role in terms of the Green Belt purposes. It reaffirms Welwyn Hatfield's willingness to be involved in any joint working and duty to cooperate discussions.

4. Legal Implication(s)

4.1. 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.

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 .

5. Financial Implication(s)

5.1. There are no specific financial implications arising from this report.

6 Risk Management Implications

6.1 There is a risk that in not responding to the consultation on the DBC Local Plan, it could have both direct and indirect implications for Welwyn Hatfield, as it raises a number of strategic cross boundary issues.

7 Security and Terrorism Implication(s)

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

8 Procurement Implication(s)

8.1 There are no procurement implications arising directly as a result of 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 DBC Local Plan.

10 Policy Implications

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

11 Link to Corporate Priorities

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

12 Equality and Diversity

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

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5 December 2017

Appendices

- Appendix A – Proposed consultation response to Dacorum Borough Council Local Plan Issues and Options consultation report (2017)