

WELWYN HATFIELD BOROUGH COUNCIL  
CABINET PLANNING AND PARKING PANEL – 13 DECEMBER 2018  
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING AND  
GOVERNANCE

HERTSMERE LOCAL PLAN POTENTIAL SITES FOR HOUSING AND EMPLOYMENT  
REPORT

**1. Executive Summary**

- 1.1 Hertsmere Borough Council (HBC) is in the process of preparing a new Local Plan. It carried out an “Issues and Options” consultation in autumn 2017 which sought views on how the Plan should approach providing for growth in homes, jobs and infrastructure in the next 15 years. In the next stage of engagement HBC is seeking feedback on a range of specific sites that have been put forward by landowners and developers for possible inclusion within their new Local Plan.
- 1.2 The consultation document can be viewed at: [https://hertsmere-consult.objective.co.uk/portal/pp/potential\\_sites\\_2018/pshe2018\\_1](https://hertsmere-consult.objective.co.uk/portal/pp/potential_sites_2018/pshe2018_1) . The consultation closes on 20<sup>th</sup> December 2018.
- 1.3 The consultation does not indicate preferred sites for inclusion in Hertsmere’s Local Plan and nor does it contain draft policies or detailed proposals. However, it raises a number of strategic issues of relevance to Welwyn Hatfield. As neighbouring boroughs Welwyn Hatfield and Hertsmere have a legal ‘duty to cooperate” on cross-boundary strategic issues. This report identifies the strategic issues which arise from the consultation and highlights key points for inclusion in the proposed response. The proposed response to the consultation report is set out in full in Appendix A.

**2. Recommendation(s)**

- 2.1 That the panel agrees the proposed response to Hertsmere’s public engagement on potential sites for housing and employment which is explained in the report and set out in full in Appendix A.

**3. Background**

- 3.1 The current Hertsmere Borough Council adopted Local Plan consists of 3 documents: a Core Strategy (2013), the Elstree Way Corridor Area Action Plan (2015) and the Site Allocations and Development Management Policies Plan (2016).
- 3.2 As a condition of adopting the Core Strategy in 2013 Hertsmere were required to carry out an early review of their plan. In line with this requirement, the Council is in the process of preparing a new Local Plan based on an up-to-date assessment of housing and economic development needs.

- 3.3 In this document HBC state that they have estimated a housing need for at least 500 dwellings a year and a similar number of jobs based on the Government's standard methodology. They would however appear to be using the latest 2016 household projections with a 20% buffer. The Government has indicated that they will be consulting on a revised approach as they consider the 2016 household formation rates simply perpetuate past trends of under delivery.
- 3.4 Hertsmere carried out an "Issues and Options" consultation in autumn 2017 which sought views on how the Plan should approach providing for growth in homes, jobs and infrastructure in the next 15 years. This set out an OAN of 9,000 dwellings for the period 2019-34. WHBC's response drew attention to a number of potential cross boundary issues including its unmet need and infrastructure issues.
- 3.5 In this consultation HBC is seeking feedback on a range of specific sites that have been put forward by landowners and developers for possible inclusion within their new Local Plan. The document considers three types of sites on a settlement by settlement basis
- potential locations for housing on sites of 250+
  - potential employment locations
  - and other locations.
- 3.6 When considering how Welwyn Hatfield should respond to the consultation on HBC's potential sites it is necessary to have regard to the 'duty to cooperate' and the Memorandum of Understanding between Welwyn Hatfield Borough Council and Hertsmere Borough Council, which was signed in May 2017 by the Councils' respective lead members for Planning. This document identifies the strategic issues affecting Welwyn Hatfield and Hertsmere, agrees the approach to future plan reviews and includes a commitment that both authorities will continue to work together consistent with the requirements of the NPPF and the Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011. Reference is made in the MOU to both authorities working together to explore whether there are opportunities to meet any of Welwyn Hatfield's shortfall.
- 3.7 It should be noted that in addition to preparing a new Local Plan, Hertsmere is also working with other Councils in South West Hertfordshire, in particular, Dacorum, St Albans, Watford and Three Rivers on strategic planning and infrastructure issues. As part of this, they will be preparing a Joint Strategic Plan for South West Hertfordshire, which will help provide a long term framework for plan-making and for securing infrastructure and investment across the local authority boundaries. Welwyn Hatfield is a key stakeholder in relation to the emerging South West Hertfordshire Joint Strategic Plan and as such officers will engage with the South West Hertfordshire authorities as the plan emerges.

#### **4. Explanation**

- 4.1 In order to plan for the future needs of the borough, Hertsmere requires land that is both suitable and available for development. HBC has been made aware of potential housing and employment locations through:
- Land promotions made as part of responses to the previous Issues and Options consultation;

- A 'Call for Sites' process where landowners and developers were invited to provide details of potential development sites; and
  - Any other sites we have identified as part of their Land Availability Assessment, a technical study which considers the suitability, availability and achievability of land for development.
- 4.2 Potential locations for growth have been subject to a number of initial technical assessments by HBC. Using the findings of these assessments they have prepared individual summaries for each strategic site. These include a plan of the area, a summary of the type of development proposed and the anticipated benefits/opportunities and challenges/constraints. An initial assessment of the potential number of homes which could be delivered in each location has been provided based on a methodology HBC has used for calculating potential site capacity.
- 4.3 The document seeks views on the potential locations for growth and asks respondents to highlight any benefits/opportunities and challenges/constraints which may exist. The feedback received will help guide HBC's consideration of the right locations for future growth.

### **Key observations and implications**

#### Overall capacity to deliver growth

- 4.4 In the first instance it is apparent from the document that a high amount of land has been identified in Hertsmere as having potential to accommodate housing and employment growth. No table is provided of the total capacity identified but HBC states in the document that it won't need to allocate all of the sites to meet its growth needs to 2036. This is positive in a number of key respects:
- Hertsmere appears to be in a position to meet its own growth needs in full
  - It provides Hertsmere with a range options in relation to the development strategy for its new Local Plan which will support it to deliver sustainable development in the borough through directing development to the most appropriate locations and minimising harm to the environment
- 4.5 However it should be noted that Hertsmere's need for housing could go up significantly once the Government has revised its approach to the standard methodology and the household projections.

#### Unmet need in Welwyn Hatfield

- 4.6 Welwyn Hatfield has identified through the preparation of its Local Plan (currently subject to examination) that it is unable to meet its full objectively assessed housing need. Subject to Members approval it is proposed that Welwyn Hatfield will carry out a further Call for Sites in early 2019 to seek to identify additional land. It is not possible to predict how much additional land might be identified through this process and it is possible at the end of it that the Council may still be in a position of being unable to meet its full objectively assessed housing need. In line with the NPPF and the Localism Act Welwyn Hatfield therefore has a duty to establish whether any neighbouring authorities have capacity to meet its unmet need.

- 4.7 Hertsmere's consultation report does not make any reference to the possibility of it meeting the unmet need of Welwyn Hatfield although there is a reference to the need for housing within South West Herts authorities. It is recognised that this is not the purpose of the report, however it is noted that there may be sufficient suitable land in Hertsmere to contribute to some of Welwyn Hatfield's potential shortfall.
- 4.8 In the Memorandum of Understanding between Welwyn Hatfield and Hertsmere, signed in May 2017, it was agreed that both authorities would work together to explore where opportunities exist to accommodate any of the Welwyn Hatfield shortfall against its objectively assessed need both within and beyond the plan period. It is therefore considered appropriate for Welwyn Hatfield to formally request within its consultation response that in preparing the next iteration of its emerging Local Plan that Hertsmere give consideration to whether it is in a position to meet some or all of the borough's unmet housing needs.

#### Gypsy and Traveller and travelling showpeople

- 4.9 The document identifies potential housing land in a general sense. It does not specifically identify potential sites to meet specific Gypsy and Traveller and travelling showpeople needs. Hertsmere's Local Plan will need to deliver a full range of housing including sufficient pitches for Gypsies and Travellers and travelling showpeople. In line with the agreement in the Memorandum of Understanding between the two authorities, both authorities are agreed that neither requires assistance from the other to help meet existing assessed needs at the current time. Both authorities have agreed that the matter of transit provision and the need for residential pitches to meet need arising from the South Mimms transit site should continue to be discussed between the authorities and recognised in the respective evidence base going forward. It is considered appropriate to request further information from Hertsmere in connection with the approach they are proposing to take to identifying land for identified Gypsy and Traveller and travelling showpeople needs.

#### Specific growth options

- 4.10 The potential sites with greatest potential to impact upon Welwyn Hatfield are those which have been promoted around Potters Bar and land east of London Colney which has been promoted for a new garden village.
- 4.11 Four strategic housing sites have been promoted as extensions to the existing urban area of Potters Bar. 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 potential capacity of 570 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 the site is enclosed by existing development on three sites and its development would not extend the urban area of Potters Bar any further north than at present.
- 4.12 The four potential strategic sites identified around Potters Bar have a combined capacity of over 3000 units. It is noted that the sites are just potential sites at this stage, however if some or all of the sites were to be proposed as part of Hertsmere's preferred development strategy there would be strategic infrastructure implications which would need to be addressed as part of the duty-

to-cooperate. It is considered appropriate to flag this up as part of the consultation response.

- 4.13 The Issues and Options consultation carried out by HBC in late 2017 identified a general area for search for a new garden village close to the boundary of Welwyn Hatfield. It was stated that such a village would be planned for 4,000 new homes with the scope to increase by at least 50% in the future. The delivery of substantial new development close to the boundary of this borough would have significant implications for Welwyn Hatfield and consequently the matter was raised in the Council's consultation response.
- 4.14 The consultation report on potential locations for growth goes a step further than the Issue and Options document by identifying a specific site for the garden village. The site is north of M25/B556 and has been assigned the site reference H2. It has been promoted for 4000+ homes with leisure, educational and employment/business facilities. The site is just a potential location at this stage, however it is noted that overall feedback from HBC's Issues and Options consultation was that there was general support for the idea of a new settlement. Support for a new garden village was expressed by residents from all of the main built up areas in Hertsmere borough. The main objections were received from outside the borough, particularly London Colney, with concerns raised about the creation of a garden village within the area of search, and specifically near to Junction 22 of the M25. It is considered appropriate to reiterate many of the comments submitted as part of the previous consultation response including the need to give detailed attention to the potential infrastructure implications of bringing forward such a significant site as well as carefully considering 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.
- 4.15 Attention should also be drawn to the potential cumulative impact on the Green Belt and its ability to prevent urban sprawl from London along the A1/A1000 corridor.

#### Welwyn Hatfield response to consultation

- 4.16 Each of the matters discussed above has been incorporated into the Council's proposed consultation response which is set out in full at Appendix A. The response clearly identifies the matters which are considered to fall under the duty to cooperate. The response indicates that Welwyn Hatfield welcomes further discussion with Hertsmere on these matters in the near future, in particular regarding:
- the overall need for housing;
  - whether Hertsmere has capacity to meet some or all of Welwyn Hatfield's unmet housing need;
  - the infrastructure implications of potential development sites identified around Potters Bar having regard to existing planned development in the general area;
  - the proposal for a new garden village in the north of Hertsmere (site reference H2) which could involve substantial new development close to the boundary of Welwyn Hatfield;

- the wider infrastructure implications of the level of proposed growth across both Welwyn Hatfield and Hertsmere including identifying required infrastructure and addressing funding and delivery challenges;
- the cumulative impact on the Green Belt from development in both local authority areas and the impact on its ability to prevent urban sprawl from London along the A1M/A1000 corridor.

## **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.
- 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. Financial Implication(s)**

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

## **7. Risk Management Implications**

- 7.1 There is a risk in not responding to the consultation on potential sites to be included in the Hertsmere Local Plan. The delivery of some of the potential sites, individually or cumulatively, could have both direct and indirect implications for Welwyn Hatfield.

## **8. Security and Terrorism Implication(s)**

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

## **9. Procurement Implication(s)**

- 9.1 There are no procurement implications arising directly as a result of this report.

## **10. Climate Change Implication(s)**

- 10.1 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.

## **11. Human Resources Implications**

- 11.1 There are no human resource implications associated with this report. The work proposed will be carried out by officers in the planning policy team.

## **12. Health and Wellbeing Implications**

- 12.1 There are no health and wellbeing implications associated with this report. Wider matters relating to health and wellbeing will be considered as part of the individual and cumulative analysis of sites and the wording of planning policies.

### **13. Communications and Engagement Implications**

- 13.1 There are no communication and engagement implications associated with this report.

### **14. Policy Implications**

- 14.1 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 maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.

### **15. Link to Corporate Priorities**

- 15.1 The Council's Business Plan 2018-2021 contains corporate priorities relating to the community, environment, housing, economy and the Council. Responding to other authorities' consultations helps this Council to meet these priorities effectively.

### **16. Equality and Diversity**

- 16.1 An Equalities Impact Assessment has not been carried out as this report refers solely to the emerging policy and proposals of another authority.

Bryce Tudball  
Principal Planner  
30 November 2018

### **Appendices**

- Appendix A – Proposed consultation response to Hertsmere Local Plan Potential sites for housing and employment report

### **Background Papers**

- Hertsmere Local Plan Potential sites for housing and employment report October 2018