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Special Cabinet  
19 November 2020

## WELWYN HATFIELD COUNCIL

Minutes of a special meeting of the WELWYN HATFIELD COUNCIL CABINET held on Thursday 19 November 2020 at 5.00pm via Zoom.

PRESENT: Councillors T.Kingsbury (Leader of the Council) (Chairman)  
D.Bell (Deputy Leader and Executive Member, Resources)  
  
S.Boulton (Executive Member, Environment and Planning)  
T.Mitchinson (Executive Member, Leisure, Culture and Communications)  
N.Pace (Executive Member, Housing and Community)  
B.Sarson (Executive Member, Regeneration, Economic Development and Partnerships)  
F.Thomson (Executive Member, Governance, Public Health and Climate Change)

OFFICIALS Chief Executive (K.Ng)  
PRESENT: Corporate Director (Public Protection, Planning and Governance) (N.Long)  
Corporate Director (Housing and Communities)  
Head of Law and Administration (M.Martinus)  
Head of Planning (C.Haigh)  
Planning Policy and Implementation Manager (S.Tiley)  
Governance Services Manager (A.Marston)  
Communications Officer (L.Creed)

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### 195. PUBLIC QUESTIONS

#### **Question 1 :- Colin Campbell, Head of Planning, Hill Residential Ltd**

The Inspector concluded, in relation to HS22, that

- “potential harm [to the Green Belt] 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.” and
- the benefits of HS22 “particularly its movement sustainability, more than outweigh the adverse impact on the purposes of the GB and the loss of the site’s openness.” and
- “exceptional circumstances to justify its removal from the GB.”

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The Inspector also concludes that “a fundamentally lower housing requirement [than 16,000] 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.”

What are the planning reasons for departing from the Inspector’s well-reasoned conclusions on the exceptional circumstances which justify the release of HS22 from the Green Belt and its soundness as an allocation which is sustainable, is in accordance with the settlement strategy, delivers desperately needed new market and affordable homes, and without which there is a very real risk that the Royal Veterinary College (as a major employer, provider of veterinary services and research output) will be unable to continue to invest in its facilities within the Borough?

### Response

The Inspector has made it clear that his report is based on an assessed housing need of 16,000 dwellings and it is in that context that his comments on HS22 relating to exceptional circumstances need to be considered. The Inspector has also acknowledged that a lower OAN could be justified.

The Council has concluded that there is evidence to support a lower OAN but has accepted that there is a need for a significant uplift to address affordability issues.

The exceptional circumstances for releasing this site from the Green Belt have to be reconsidered in that context. Cabinet Planning and Parking Panel have made recommendations to Cabinet on what it considers to be the appropriate balance between making provision for both the economy and the need for housing and the protection of the Green Belt. These will now be debated by Cabinet before a final decision is made by Full Council.

### **Question 2:- Stuart W.J. Reid, Principal, RVC**

On the 17 November CPPP decided to recommend that the Council pursue a lower OAN based on the removal of sites from the submitted plan. In this connection, we would be grateful if the Cabinet could please answer the following questions:

Can the Cabinet please set out how the removal of HS22 and HS24 from the site allocations, against the direction of the Inspector, has been considered and justified with due process in the context of its inclusion in the submitted plan and robust support from the Inspector? The Royal Veterinary College is deeply concerned that the significant changes proposed to the submitted plan risk the plan being found unsound, especially given the Inspector’s clear findings on housing need and the submitted spatial strategy.

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Does the Cabinet / Council acknowledge that the new proposals prevent investment in the delivery of a new small animal hospital providing vital services to the local community, along with further campus improvements supporting education and research, required to maintain the RVC's world leading status? This investment is reliant on delivering HS22 and HS24.

Are the risks to the Local Plan process, together with potential outcomes, and the impact on the RVC's status fully understood and accepted by the Cabinet?

Response

The Inspector has issued an interim report based on a housing need of 16,000 dwellings. The response to the previous question has referred to the Council's view that the 2018 Population and Household projections result in a reduced need for housing. The Council considers that the exceptional circumstances relating to the release of this site for housing therefore need to be reconsidered by Members.

The Council is following due process by ensuring these important decisions are fully debated by CPPP, Cabinet and Full Council.

It is acknowledged that the RVC is a charity and that the proceeds from any sale of land for housing would be reinvested in the College but this is not a consideration that should inform the selection on which are the most sustainable local plan sites.

196. DECLARATION OF INTEREST BY MEMBER

Councillor S.Boulton declared a non-pecuniary interest in the item on the Agenda as a Member of Hertfordshire County Council.

197. ITEM RELATING TO THE BUDGET AND POLICY FRAMEWORK FOR RECOMMENDATION TO THE COUNCIL

The following item was considered:-

197.1. Local Plan - Objective Assessment of Need and Final Site Selection (Forward Plan Reference FP982)

This Special Cabinet meeting has been convened to consider the recommendations from the meeting of the Cabinet Planning and Parking Panel on 17 November 2020 on the results of the public consultation, the content of the inspector's interim report and other updated evidence in order to identify a precise figure for the objective assessment of housing need (OAN) over the plan period and to decide which sites should be proposed for inclusion in the Local Plan to meet the OAN.

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198. PRESENTATION BY HEAD OF PLANNING

198.1. Local Plan

Members may recall that the Local Plan was submitted for examination in 2017 with a target of 12,000 homes.

The inspector has since advised through the examination process, that it does not meet the Council's objective need. Members debated additional site at the Cabinet Planning and Parking meetings in January 2020 and Officers presented options to achieve the objective need at that time of 16,000 and Members chose to consult on a collection of sites totalling 14,011 homes for public consultation.

The reports from Cabinet Planning and Parking Panel take into account:

- Consultation responses
- Inspector's interim report advice on sites. This was received in October 2020.
- Updated site and sustainability options from recent hearing sessions and other engagement with land owners and site promoters.

198.2. Consultation Responses

The consultation took place between 19 February and 1 May 2020. The Council received around 770 comments to document and the Sustainability Appraisal from 387 different respondents. 62% of the comments were from organisations, bodies, groups, developers and landowners.

33% of comments indicated legal compliance of changes to site allocations  
31% indicated that the changes were not legally compliant

23% indicated that the changes were sound.  
45% indicated that the changes were not sound.

Most of the comments received were about sites in the Green Belt -

- PB1 had received 88 representations – this was East of Potters Bar
- BrP1 (Bell Bar) had received 60 representations

198.3. New Assumptions

On the basis of all the information that had been received, since then the assumptions have been updated.

Updated completions figure (2,121 dwellings), this includes new dwellings that have been built.

Updated commitments (961 dwellings NOT 1,141 dwellings)

Updated New Windfall assumptions (1,402 dwellings)

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Based on issues debated at hearing sessions between March and August 2020 and new information that was received from applicants and site promoters there was some new capacity assumptions for Urban Sites and Green Belt Sites.

198.4. Inspector's Interim Report

Received the inspector's interim report in October 2020. It is a summary of the submitted plan based on the learning sessions.

The report sought to align housing and economic strategies to avoid worsening affordability and commuting rates.

The inspector asked the Council which additional housing sites are most sustainable to meet the OAN. In the report the inspector assumes the OAN is 16,000 but acknowledged that it may go down because of the latest 2018 bases household projections, but commented that a target lower than the OAN may not support the national housing crisis or tackle the affordability issues in the Borough.

The inspector concluded that there general exceptional circumstances to release Green Belt land bust justifies individual sites – acknowledged that the Council cannot deliver all of our need on available urban sites but also advised that individual sites still need to be justified in terms of exceptional circumstances.

Number of comments on particular sites-

Birchall Garden Suburb South harms openness of Green Belt

Marshmoor should be considered for housing if Council cannot meet the OAN

Symondshyde may be selectable if OAN cannot be met from village sites

The inspector identified two options for the Council –

1.) Propose additional housing sites to meet the OAN

2.) Withdraw the plan from the examination

The inspector identified a list of deadlines that they would like the Council to achieve or the inspector will confirm the plan as unsound if the Council cannot achieve the deadlines.

198.5. Clarifications

Table 5 - commitments of 961 dwellings not 1,402 dwellings

Paragraph 2.8 – housing land supply of 13,277 dwellings not 13,457 dwellings

Table 5 – housing land supply of 13,277 dwellings not 13,457 dwellings

Paragraph 4.80 should state removal of 700 dwellings (not 600) at Birchall Garden Suburb South.

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Appendix A – Summary of consultation: Interim report comments that “there would be no appropriate site on the western edges of Hatfield that could be available to deliver a reasonable number of dwellings” but does not specifically comment on HAT2.

HS29 and HS30 – Interim report comments that Cuffley is not a particularly sustainable location from a transport perspective, that defensible boundary could create for these sites but that “demonstration of exceptional circumstances will partly depend upon relative amount of overall development that is justified in Cuffley and deliverability of other sites”.

198.6. Recommendation 1

That Members identify the most appropriate precise figure for annual rate of objectively assessed housing need (OAN) over the plan period 2016-2036.

Officers advised Members of the panel that the office of national statistics has published multiple projections. Best practice guidance does not comment on what to do in this situation. As a consequence the issues of OAN was raised at the Cabinet Planning and Parking Panel meeting in September 2020 and Officers were asked to bring more information to Councillors.

- Turley (appointed housing consultation) – five year alternative projection = 715 homes per year (=14,300). Criticised as overly cautious and does not reflect projected reduction.
- ONS ten year projection = 690 homes per year (=13,800). More stable outcome, less susceptible to anomalies and economic cycles.
- ONS two year principal growth projection = 507 homes per year (=10,140). Similar to recent growth rates in the Borough but has not improved affordability.

Members noted Government has a current standard method = 875 homes per year.

Proposed standard method = 667 homes per year.

Cabinet Planning and Parking Panel agreed that the office of national statistics 10 year projection of 690 homes per year (=13,800) is the most appropriate precise figure for annual rate of objectively assessed housing need (OAN) over the plan period 2016-2036.

It was a more stable outcome, less susceptible to anomalies and economic cycles. It is also above the proposed standard method of 667 homes per year.

198.7. Recommendations 2

That Members considered whether they want to change the proposed changes for 14,011 homes agreed for consultation in January 2020 based on (a) comments submitted to public consultation, (b) judgements in inspector’s interim report, (c) updated completions, commitments, brownfield data, (d)

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updated site information, in order to achieve identified OAN over plan period 2016-2036.

- Does not add sites selected for removal in proposed changes consultation
- It does update completions, commitments and windfall figures
- Assumes on urban areas such as the Wheat Quarter for 2,000 homes and Bio Park for 250 homes
- It removes 700 at Birchall Garden Suburb South
- It removes 160 at PB1 east of Potters Bar

The strategy can now deliver 13,277 not 13,457 dwellings.

Cabinet Planning and Parking Panel agreed that housing land supply is 13,277 homes and agreed that PB1 should be identified as safeguarding land to meet longer term housing needs.

198.8. Actions

- That the Head of Planning will immediately write to the inspectors to confirm the outcome of recommendation 1 to select the most appropriate OAN – This was done on the 18 November 2020.
- That the submission of changed sites represents a request that the inspectors consider them as 'main modifications' to the submitted plan.
- That Officers will continue to advocate decisions made by Full Council to examination hearing sessions.

198.9. Risks

- Judicial Challenge – Published and presented properly
- Risk that the inspector could conclude that the plan is unsound
- Risk Government instructs another body to prepare the Council's Local Plan
- Lack of five year housing land supply. If the Local Plan is agreed it would enable the Council to have the 5 year plan.
- Presumption in favour of sustainable development
- Will struggle to resist proposal for brownfield sites and employment land
- Will start to receive speculative green belt planning applications
- Risk of planning by appeal and costs.

199. CABINET DECISION

The Leader thanked the Head of Planning, the Planning & Policy Implementation Manager and Officers on their hard work on the Local Plan.

Following discussion it was

**RESOLVED:  
(UNANIMOUS)**

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That Cabinet agreed the recommendations from the meeting of the Cabinet Planning and Parking Panel on 17 November 2020:-

- (1) That the new objective assessment housing need (OAN) is 690 per year equivalent to 13,800 over the plan period of 2016-2036 based on the ten year projection identified.

and

RECOMMENDS TO COUNCIL:

- (2) That a strategy is put forward for 13,277 dwellings plus allocation of site PB1 for safeguarding.

Meeting ended 5.32pm  
AM