

Appendix 05: Pre 2024 Duty to Co-operate Chronology with Welwyn Hatfield Borough Council



26_01_2015 – Summary of Duty to Co-operate meeting between Welwyn Hatfield Borough Council and Hertsmere Borough Council.

Outcome from last meeting

The outcomes were set out in the minutes which had been circulated.

Subsequent to the meeting no concerns raised regarding the outputs of the SHMA and FEMA.

Content of Local Plan Consultation Document

WHBC outlined the content the consultation document and the background to the 'more favourable', 'finely balanced' and 'less favourable' categorization.

Members are minded to only bring forward the 'more favourable' sites which would mean we would not meet our objective assessment. Approximately 2,400 dwelling shortfall.

In addition there are deliverability issues associated with some sites and a requirement for further transport modeling work. With regards to this WHBC indicated that we were having difficulties getting the Environment Agency to comment on evidence which would help to confirm whether sites are deliverable

Housing and Jobs Numbers in Housing Market Area and Functional Economic Market Area

WHBCs understanding of supply issues for housing and jobs numbers based on latest consultation documents.

This indicates a shortfall within the housing market area of approximately 10,000 dwellings. With regards to jobs WH had reviewed the latest Travel to work data which did not indicate a change was needed to the FEMA boundary.

In terms of identifying jobs numbers within the FEMA this was quite difficult to do because of the way information is presented and the fact that most authorities were using EEFM data whereas Welwyn Hatfield use Experian. However EEFM does not cover the London boroughs.

The evidence from consultation documents indicate that there is a predicted shortfall of jobs in comparison to the EEFM baseline projections for those authorities outside London of approximately 19,000 jobs.

Need to understand how this relates to the LEP's aspirations set out in the SEP.

WHBC stated that she was aware of a number of authorities commissioning work on the identifications of FEMAs and asked to be kept informed as the evidence develops.

ACTION: All to advise Welwyn Hatfield of any implications emerging from their work on FEMAs

ACTION: ALL to confirm if evidence set out in presentation on jobs and housing numbers could be checked for accuracy and to advise of any discrepancies.

Estimates of Supply and proposed delivery across the Welwyn Hatfield HMA

LPA	Target/ <i>Emerging target</i>	Household growth in Welwyn Hatfield HMA (WH SHMA, 2014)	Allocations / <i>Emerging allocations</i> within the Welwyn Hatfield HMA	Period
Broxbourne	5,000 (SHMA 2013)	419	Unknown	2011-2026
East Herts	15,000 (Draft DP 2014)	3360	2,901 (Draft DP 2014)	2011-2031
Hertsmere	3,990 (Core Strategy 2013)	2,477	113 (Draft SADM DPD)	2012-2027
North Herts	14,600 (Preferred Options 2014)	674	653 (Preferred Options 2014)	2011-2031
St Albans	9,125 (Draft Strategic LP 2014)	2,145	1,000 (Draft Strategic LP 2014)	2011-2031
Barnet	28,000 ¹ (Core Strategy 2012)	4,243	Unknown	2011-2026
Welwyn Hatfield	10,150 (LP consultation 2015)	12,500	10,150 (LP consultation 2015)	2011-2031
Total	85,865	25,818	14,817	-

Estimates of Jobs taken from job target figures for LPA rather than FEMA boundary

LPA	Total jobs target/ <i>Emerging or indicative total jobs target</i>	Period
Broxbourne	3,700 (Core Strategy 2010)	2011-2026
East Herts	9,700 (Draft DP 2014)	2011-2031
Hertsmere	8,335 (Core Strategy 2013)	2012-2027
North Herts	5,400 (Preferred Options 2014)	2011-2031
St Albans	360 (Herts London Arc Study 2009)	2011-2031
Welwyn Hatfield	12,000 (Local Plan consultation 2015)	2011-2031
Luton	18,000 (Draft Local Plan 2014)	2011-2031
Dacorum	10,000 (Core Strategy 2013)	2006-2031
Stevenage	1,600 (Draft Local Plan 2013)	2011-2031
Total	69,095	
Barnet	21,500 (Core Strategy 2012)	2011-2026
Total	90,595	

EEFM baseline figures for authority areas excluding Barnet = 88,026

Infrastructure Issues

There is a requirement for further transport modeling for A1M junctions 3 and 4 and also further work to consider the impact on the A414 and whether there are any solutions.

Primary and secondary provision will be required and there are cross boundary issues in particular around Cuffley and Woolmer Green for primary provision. In terms of secondary provision working with East Herts on provision for Welwyn Garden City. Potential for one site in Hatfield, no site for a third.

There is an aspiration to make green infrastructure connections to East Herts and St Albans.

Action: specific infrastructure issues to be picked up in individual Duty to Cooperate meetings. A1M to be part of A1M consortium work

Impact on Green Belt

Presentation highlighted issues relating to the extent of the impact on purposes of the Green Belt. WHBC confirmed that it would not be possible to meet OAN without significant harm to the purposes of the Green Belt.

Letter to DCLG

Debate around the difficulty for planning post 2031 when there is concern that we cannot meet needs to 2031.

Also need to consider the implication of the Inspector's report into the FALP and the need for an early review.

HBC advised that following the receipt of the Inspector's Report into the Examination of the FALP, the GLA have issued invitations to all Leaders in the Greater South East, to a Summit meeting on the 19th March to discuss how wider than London planning issues will be taken forward in the Full Review of the London Plan.

Options for urban extensions have been fully explored. There is some pressure from the community to meet need through provision of a new settlement however no opportunities have come forward within Welwyn Hatfield.

Letter agreed by Members sent to DCLG re need for new settlements. North Herts expressed an interest in the letter.

Action: HBC agreed to circulate the letter.

Policy Implications

ST set out potential policy implications arising from evidence which ideally would need a joint policy approach and in some cases the production of a joint document. Viability of strategic sites would be revisited as the intent is to commence masterplanning work through PPA process.

Next Steps

Welwyn Hatfield will look to arrange a member level Duty to Cooperate session at the end of the consultation.

Duty to Co-operate Meeting Welwyn Hatfield and HBC 7th October 2015

Reason for Meeting

- To share progress on plan-making, explore matters of common concern and address strategic planning issues (having regard to our obligations under the 'Duty to Co-operate' introduced by the Localism Act 2011); and more specifically
- To address issues raised by Welwyn Hatfield Council in response to SADM (Submission Draft)

Minutes of Meeting 21 May 2014

Agreed

4. Site Allocations and Development Management Policies Plan for Submission

(dealt with first as HBC had to leave meeting early due to other commitments)

HBC aim to submit SADM to PINS on 16 November 2015. Representations from around 63 people/bodies have been received (plus around 900 signatures 'for' and 'against' proposals for a specific site).

It was agreed that the purpose of the discussion was to try to resolve objections from W-H to SADM (for Submission) as far as possible and explore where there may be scope for a Statement of Common Ground.

Objection concerning arrangements for review

WHBC explained that W-H's concern is to see a commitment to the arrangements for reviewing SADM and its relationship with the Core Strategy review. They wish to have a specific commitment to working together on strategic land availability issues. The timing of HBC's work in this respect was important. As background, WHBC explained her concern that in order for their own Plan to be able to be found sound they will need to be able to demonstrate that they have made every effort to meet their OAN within their boundary and then failing that, with neighbouring authorities. There is a particular issue for W-H in that emerging SHMAs for surrounding authorities do not include W-H within their identified HMAs. W-H's own SHMA has however identified a relationship with its neighbouring authorities. The relationship between the different SHMAs and the OAN numbers they identified will therefore need to be discussed further through future DtC meetings.

HBC indicated that with regard to HMA geography the advice from our consultants was that although there is a relationship with W-H it is not strong enough to justify inclusion of W-H in the same HMA as the other South West Herts authorities. It was generally understood that the HMA situation in Hertfordshire and surrounding area is extremely complex, and also influenced by London. Each authority is 'doing the best

we can' in terms of establishing HMA geographies and identifying OANs; the approach of working where possible to local authority boundaries is as per PPG and PAS advice. With regard to the current SHMA, W-H are of course members of the Project Advisory Group. HBC confirmed that there would be a meeting of the PAG on 23 November to consider the SHMA draft final report.

The likelihood of each authority needing to ask the other whether they could make a contribution towards meeting their unmet needs was discussed. Whilst it was acknowledged that HBC's SADM is delivering the adopted Core Strategy it is likely that the Core Strategy review will need to address significantly increased housing needs; W-H are concerned to understand how and when site allocations will be reviewed in order to meet a higher housing target for HBC (and/or possibly needs arising from W-H). It was noted that the HBC Core Strategy review would need to identify how the new housing and employment land requirements would be met; this would need to be shown on the Policies map. WHBC particular concern is the timescale within which the review of sites is likely to occur. It was acknowledged that the quicker SADM can be adopted the quicker the review of the Core Strategy and sites can be progressed.

Actions: HBC to draft a Statement of Common Ground containing a commitment to working together on OAN and housing land supply issues as part of the early review of the Core Strategy, preparation for which will include a Green Belt study. HBC will also, as part of this, review the Monitoring section of SADM with a view to clarifying the intended arrangements for reviewing site allocations in the context of the forthcoming early review of the Core Strategy (by wc 19 October).

W-H agreed that a satisfactory resolution along these lines would enable them to withdraw this objection to SADM.

Objections concerning Gypsies and Travellers

HBC advised W-H that whilst ORS had prepared a GTAA study for HBC the probability had recently come to light that not all the occupants of a large privately owned site in the Borough (25 pitches), were Gypsies or Travellers under any definition. ORS had only been able to interview residents of 1 out of 25 pitches when doing the Study. This potentially raised significant implications for their assessment of total additional pitches required. ORS are to be commissioned to look again at the 'numbers' and until this has been done the Study is technically incomplete. A confidential copy was passed to W-H.

With regard to W-H's concerns about the deliverability of sites, HBC confirmed that

- the provision of new pitches at Sandy Lane (GT1) could be funded from Affordable Housing commuted payments with publicly owned/managed sites being treated as Affordable Housing in the Council's Affordable Housing SPD; and

- the two ‘tolerated’ but unauthorised sites (GT2 and GT3) had been included as ‘need’ but not ‘supply’ so Hertsmere’s overall number of pitches had been counted at the lower level when assessing future pitch requirements. As such there should be no difficulty with treating them as new provision.

With regard to the overall 5 year supply, RB confirmed that the latest AMR showed that we were on target – any shortfall that may occur as the 5 year period rolls forward would be minimal. It was noted that (a) there may be capacity at the existing private site which is currently being investigated for occupation by non-Gypsy and Traveller households, and (b) there was a current application on another existing site for an additional pitch. Small scale proposals for additional pitches on authorised sites may also come forward, and there is a commitment in SADM to meeting additional needs identified (through the ORS study, but will be as amended) as part of the Core Strategy review. HBC commented that the real issue was not the 5 year supply, but the meeting of needs in the longer term and this would be addressed in the Core Strategy review. Given the potential numbers of pitches involved HBC felt this was the most appropriate way of achieving the required provision.

With regard to transit provision, HBC advised that ORS had found no evidence of any additional need in Hertsmere. The strategic nature of this issue was discussed but it was acknowledged that this was not being picked up County-wide. It was noted that HBC currently has the only transit site in the County, and that the provision of further ‘permanent’ pitches, as set out in SADM, would help to free up transit pitches to be used as was intended. WH agreed to review the new evidence and consider the representation on transit provision.

WHBC indicated that they would be unlikely to maintain an objection to HBC’s decision not to remove GT1, GT2 and GT3 from the Green Belt. This was a point for noting as it did not have implications for W-H as such.

Agreed that it would be best to resolve these issues prior to submission and WHBC undertook to respond on her return from leave (wc 19 October).

Action: WHBC agreed to review the evidence and W-H’s representations and to advise HBC as to what issues could be covered by a Statement of Common Ground and which objection(s) withdrawn (wc 19 October).

2. Matters Arising from meeting of 21 May 2014

List of items CIL to be spent on: HBC indicated we don’t yet have a list of items – this will be for the CIL Panel to determine (officer working group and member Panel have been set up). Membership includes representatives from outside bodies. HBC to forward a link to the Developer Contributions Framework to W-H.

Infrastructure: WHBC indicated that W-H have a number of infrastructure issues.

- The CCG has raised the increasing need for community based as well as hospital based healthcare as an issue. This has financial and site/premises implications.
- Possible highway network capacity issues related to strategic growth locations / proposed sites. Key concerns - J3, 4 and 6 of A1M, and A414 in relation to sites around Hertford. Three strategic sites (5.5k dwellings) may be vulnerable unless highways issues are resolved. W-H will be working with East Herts to agree a position.

3. Local Planning Update

a. Hertsmere

Staffing

██████████ has joined Policy Team as Deputy Team Leader/PPO (██████████ replacement). He will be DTC link at officer level. ██████████ has also left and the CIL and Elstree Way work is now being done by ██████████ (Senior Planning Officer), ██████████ (Senior Planning Officer), ██████████ (Planning Officer) and ██████████ (Planning Officer) complete the Policy team under ██████████. The team is currently fully staffed.

Development Plan

Elstree Way Corridor Area Action Plan adopted 8 July 2015.

SADM published 31 July 2015. Deposit period completed 14 September 2015. Aim to submit 16 November 2015.

LDS updated April 2015.

Core Strategy review work started (SHMA, Economy Study). Third strand will be Green Belt Study (joint with Three Rivers and Watford). Methodology will be similar to St Albans/Dacorum/Welwyn Hatfield study.

Evidence Base

On the website (Local Plan (New) Evidence Base) with the exception of GTAA.

SHLAA is being updated (will be SHELAA) and will be on website.

Other Guidance

Affordable Housing SPD should be adopted shortly

We have appointed valuers to assist with independent review of viability assessments – BNP Paribas.

Planning and Design Guide SPD – added section on garage conversions

b. Welwyn-Hatfield

Staffing

. The Planning Policy and Implementation Unit under ██████████ consists of ██████████ (Principal Planning Officer), ██████████ (Principal Planning Officer), ██████████

█████ (Principal Planning Officer- p/t), ██████ (Senior Planning Officer), ██████ (Senior Planning Officer – p/t), ██████ (Senior Planning Officer – p/t), ██████ (Monitoring Officer) and ██████ (Year out student). In the Implementation team, there is ██████ (Principal Planning Officers, ██████ (Senior Planning Officer) and ██████ (Senior Planning Officer – p/t). There is currently a part time vacancy in this team

Development Plan

Current Plan is 2005 District Plan. After consultation the emerging Core Strategy in 2012 a decision was taken to convert the Core Strategy into a Local Plan and the previous approach of concentrating growth on Welwyn and Hatfield changed into one looking at a 'fairer' distribution of growth around the Borough around the towns and excluded villages, which would also be more capable of delivering the increased housing requirement indicated by the SHMA. Consultation on sites and changes to the strategic approach took place between January and March this year.

Drop-ins are now being organised (Oct/Nov 2015) in order to raise awareness about possible new sites that were submitted during the previous consultation on sites. The sites have not been assessed (although they will be) and this is purely an awareness raising, not consultation, exercise. W-H will advertise within their Borough but will not notify those outside. This is potentially an issue for the Little Heath area of Potters Bar as there are sites close to the boundary between the two Boroughs in this location.

W-H will then proceed to reg 19 Publication (aiming for July 2016).

Action: W-H to advise HBC of details of drop-ins so that HBC can let HBC local councillors and residents groups in the Little Heath Potters Bar area know.

Agreed: that in light of the potential growth in the Little Heath area of Welwyn Hatfield the establishment of a shared position should sought. Further meetings and sharing of technical assessments will be important in terms of moving towards achieving this.

Evidence Base

Sustainability Appraisal - cumulative impact of 12.5k new dwellings has been tested. Will need to SA test all individual sites going ahead.

SHMA and Economy Study being updated. WHBC to consult neighbouring authorities on HMA geography but the timescale is tight.

SFRA update being done - stage 1, plus stage 2 on some sites.

HELAA being updated and will assess all housing and employment sites. GB purposes part of conclusions being separated out. Separate Site Selection paper will go through the balancing exercise, then look at cumulative impacts (Green Belt,

infrastructure etc). This is being done in-house. HBC consider it important to gain an understanding of why sites have been selected. Likely to be done after Christmas. Transport modelling for strategic sites to be discussed with HCC. Water Study – looking at infrastructure requirements. EA and Thames Water have indicated a number of Green Belt and urban sites could require upgrade to facilities but this is more of a phasing issue. The Environment Agency has expressed concerns about capacity issues and asked for modelling to be done.

Other Guidance

HMO SPD to be updated as part of Local Plan process (Article 4 is in place). Planning Obligations SPD will be updated once CIL and Local Plan in place. Hoping to adopt CIL in 2017. Will be updating GTAA – W-H will consult HBC on the outcomes.

5. Other Issues

W-H Local Plan Consultation

HBC made representations in response to the consultation (early 2015). With regard to the query on W-H's Affordable Housing policy ST indicated that the main thrust would remain but the policy would be tweaked. With regard to Watling Chase WHBC acknowledged that this could be referenced, although expressed concern that the plan was out of date. Green Infrastructure work underway could also be 'badged' accordingly.

6. Outcome of meeting

WHBC said it was important to have agreed outcomes from the meeting. The following summary list was agreed:

- To resolve W-H's representations on SADM, preferably prior to Submission on 16 November 2015; to agree a Statement of Common Ground and identify which objections would be withdrawn;
- To work together on land availability issues;
- W-H to share their assessment of sites and infrastructure issues and other relevant information with HBC;
- Further meetings to achieve a joint understanding of the position in regard to possible sites in Little Heath and any others close to the boundary between the 2 boroughs.

7. Future Meeting

Tues 12 January 2016 at Welwyn-Hatfield offices. LG to send diary invitation.

31_05_2017 Email from WelwynHatfield Borough Council to Hertsmere Borough Council regarding SMHA Update

As you are aware, our consultants Turley recently carried out an update to the Welwyn Hatfield Strategic Housing Market Assessment.

During the Update, Turley contacted each authority within the wider HMA and I would like to take this opportunity to thank you for responding to the communication from Turley.

I am pleased to confirm that the Update report is now complete and available on the Welwyn Hatfield website, either via the Evidence Base <http://www.welhat.gov.uk/article/5501/Housing> or via the Examination Library <http://www.welhat.gov.uk/article/6940/Examination-Library-evidence-base>

The 2017 SHMA Update provides a single reference point on the conclusions of the SHMA evidence produced prior to this Update (including the 2014 SHMA, the 2015 Partial Update and the 2016 Addendum) and includes an updated consideration of data and methodological guidance, and its implications for the conclusions on objectively assessed housing needs (OAN).

In line with the earlier documents, the update focuses on reviewing and updating the OAN for the administrative area of Welwyn Hatfield. However, given that the borough does not represent a distinct or self-contained housing market area (HMA), this is interpreted within the context of a wider HMA, where housing needs have been separately assessed. To be clear, the Welwyn Hatfield SHMA Update does not separately determine an OAN for other authorities in the wider HMA beyond the administrative area of Welwyn Hatfield, either wholly or in part. The update does, however, include a summary of the latest OAN position for each of the other authorities in the wider HMA to provide context in establishing an updated position on the overall need for housing.

I hope this update is helpful and if you have any queries then please do let us know.

May 2017 - Duty to Cooperate Memorandum of Understanding (MoU) between Hertsmere Borough Council and Welwyn Hatfield Borough Council summary

Duty to Cooperate

Memorandum of Understanding

Hertsmere Borough Council and Welwyn Hatfield Borough Council

- 1.1. This memorandum of understanding establishes the outcome of co-operation to date between Hertsmere Borough Council and Welwyn Hatfield Borough Council with respect to strategic planning and cross boundary issues.
 - 1.2. Local Authorities are required through the Duty to Co-operate to engage constructively and actively on an on-going basis on planning matters that impact on more than one local planning area. The NPPF sets out the requirement that public bodies should cooperate on planning issues that cross administrative boundaries particularly those which relate to the following strategic priorities:
 - The homes and jobs needed in the area.
 - The provision of retail, leisure, and other commercial development.
 - The provision of infrastructure for transport telecommunications, waste management, water supply, wastewater, flood risk and coastal change management.
 - The provision of minerals and energy (including heat).
 - The provision of health, security, community and cultural infrastructure and other local facilities.
 - Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment including landscape.
 - 1.3. The NPPF requires Local Planning Authorities to work collaboratively with other bodies to make sure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual Local Plans. Local Planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross- boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Co-operation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development.
- 2. Parties to the Memorandum of Understanding (“the Memorandum”)**

2.1. The Memorandum is agreed by the following authorities:

- Hertsmere Borough Council (HBC)
- Welwyn Hatfield Borough Council (WHBC)

2.2 The plans of HBC and WHBC are on different timescales and timetables. HBC has an adopted Core Strategy for the period to 2027 which was adopted in 2013, an Area Action Plan for the Elstree Way Corridor in Borehamwood and a more recent Site Allocations Development Management Plan document (adopted November 2016). The Council is in the early stages of reviewing its Plan, moving towards the production of a single Local Plan. A Statement of Common Ground was agreed between the two authorities on the Hertsmere Site Allocations Development Management Document. WHBC has completed its Local Plan Regulation 19 consultation and is preparing to submit its Plan for examination. It is agreed that this Memorandum covers relevant matters in so far as they relate to the preparation of the Welwyn Hatfield Local Plan and the emerging Hertsmere Local Plan and will be submitted as part of the evidence base to the Local Plan examinations of both parties.

3. Limitations

3.1. The Local Authorities recognise that the NPPG clarifies that the duty to cooperate is not a duty to agree. As such there might not always be full agreement with respect to all the issues on which they have agreed to cooperate. For the avoidance of doubt the Memorandum will not restrict the discretion of any of the Local Authorities in the determination of any planning application, or in the exercise of any its statutory powers and duties or in its response to consultations and is not intended to be legally binding.

4. Objectives

4.1. The Memorandum has the following broad objectives:

- To help secure a consistent approach to strategic issues affecting Hertsmere Borough Council and Welwyn Hatfield Borough Council and that strategic priorities are agreed.
- To identify and manage spatial planning issues that impact on both Hertsmere Borough and Welwyn Hatfield Borough Council.
- To make sure there is compliance with the Duty to Co-operate.

5. Matters Agreed

- 5.1. It is agreed that the following matters represent the strategic priorities where there are cross boundary issues for the two authorities. The matters identified below have been discussed and agreed through a number of meetings and correspondence between the two local authorities.

Housing Market Areas

- 5.2. With the support of independent specialists, WHBC and HBC have both carried out Strategic Housing Market Assessments. Both SHMAs give consideration to cross-boundary housing market relationships and the relevant evidence base of surrounding authorities.
- 5.3. Each authority recognises that there are some cross boundary housing market relationships between Hertsmere and Welwyn Hatfield. The WH SMHA identifies parts of Hertsmere (mainly the Potters Bar area) falling within the WH defined HMA (22.4% of Hertsmere's households fall within the WH tightly defined HMA).
- 5.4. However, it is agreed that on a 'best fit' whole local authority basis, Hertsmere has stronger housing market relationships with other authorities within SW Herts and the SW Herts SHMA concludes that the areas of Dacorum, Hertsmere, Three Rivers, St Albans and Watford form a HMA (and a FEMA) (although the St Albans SHMA did not reach the same conclusion). The four SW Herts authorities are currently drawing up their own MOU for the Duty to Co-operate.
- 5.5. Notwithstanding the different outcomes of the HMA evidence base, both authorities acknowledge the cross-boundary housing market relationships, and that discussions around housing need and land supply will need to continue going forward.

Housing Need

- 5.6. The Welwyn Hatfield Draft Local Plan Proposed Submission 2016 was informed by the OAN contained within the SHMA Partial Update Addendum (Responding to the Economy Study) April 2016 (and previous versions). This Update was informed by the 2012-based ONS and CLG population and household projections.
- 5.7. A WH SHMA review has been commissioned to reflect more recently released datasets including the 2014-based ONS and CLG population and household projections. This work is nearing completion and indications are that it will result in a higher OAN for Welwyn Hatfield.

It is not the role of the WH SHMA review to assess the OAN for HBC. This has been carried out through the joint SW Herts SHMA that Hertsmere is party to. This is proposed to be reviewed once the Government's proposal for a common methodology has been published, which is expected to occur in 2018. However, from the early stages of the WH SHMA, consideration has been given to the evidence base of surrounding authorities and the latest update

includes a summary of the latest OAN evidence base as this relates to HBC (and other authorities).

Housing Supply

- 5.8. HBC is working towards the production of a new Local Plan and has commenced consultation, following its 'Planning for Growth' soft launch in late 2016. At the time of preparing this MoU, this consultation remains open as part of ongoing HBC's Regulation 18 work. It explores initial options for accommodating future growth (brownfield development and increasing densities; village and town extensions and the option of a new settlement.) HBC has not reached any conclusions at this very early stage of review and plan-making as to how it might meet its own OAN, whether it may have any capacity to address any unmet need from neighbouring areas or whether it may need to approach neighbouring authorities to meet any unmet need of its own.
- 5.9. The Welwyn Hatfield Draft Local Plan Proposed Submission 2016 proposes a target of 12,000 new homes between 2013 and 2032. To achieve this target involves a significant level of Green Belt release within Welwyn Hatfield. HBC is aware that this means that a shortfall of between 616 and 1,433 arises between the target and the WH OAN, (informed by the 2012 based sub-national population and household projections in the WH SHMA Partial Update 2015 and the WH SHMA Addendum 2016). It is not possible to accommodate any of the shortfall elsewhere within Welwyn Hatfield, mainly due to existing infrastructure constraints. WHBC has therefore committed to carry out an early review of the Plan and to work with others to address the infrastructure issues which have resulted in the shortfall.
- 5.10. Further, the Draft WH SHMA Update 2017 indicates that the OAN is likely to rise. Both authorities agree that it is important for Welwyn Hatfield to work towards submitting its Local Plan for examination at the earliest opportunity, consistent with the Government's priority for plans to be put in place so that communities are not disadvantaged by unplanned growth.
- 5.11. Both authorities have previously agreed a Statement of Common Ground acknowledging that there would be a need to work together through the early review of the HBC Core Strategy (now to be a Local Plan).
- 5.12. The timing of plan reviews and preparation means that as a Green Belt authority, HBC is not currently in a position to assist with making any provision for any shortfall within WH. Going forward, WHBC has highlighted the likelihood that it would need to seek assistance from authorities within the Welwyn Hatfield HMA.
- 5.13. Both authorities agree to work together to explore where opportunities exist to accommodate any of the Welwyn Hatfield shortfall against its OAN both within and beyond the plan period. WHBC will also continue to work with Hertsmere and others, through the SW Herts grouping and HIPP, to explore opportunities for housing delivery post 2031.

Gypsy and Traveller Provision

- 5.14. Both authorities have prepared Local Plans which seek to meet respective identified needs for Gypsies and Travellers, and where relevant Travelling Showpeople. It is agreed that neither authority requires assistance from the other to help meet objectively assessed needs at the current time.
- 5.15. However, the latest WH Gypsy and Traveller and Travelling Showpeople accommodation needs assessment has reviewed the need for pitches to be created within Welwyn Hatfield to meet a limited level of need arising from the South Mimms transit site which is located within Hertsmere borough.
- 5.16. Both authorities agree that the matter of transit site provision and the need for residential pitches to be created to meet need arising from the existing South Mimms transit site should continue to be discussed between the authorities and recognised in the respective evidence base going forward.

Employment and commercial development

- 5.17. Whilst both authorities acknowledge that there are clear relationships in terms of employment and travel to work patterns, facilitated by the A1/ East Coast mainline corridors, the evidence base of both authorities concludes that neither authority shares a Functional Economic Market Area. On a 'best fit', whole local authority basis, Welwyn Hatfield has stronger economic relationships with East Herts, Luton, North Herts, St Albans and Stevenage. On a 'best fit' whole local authority basis, Hertsmere has stronger economic relationships with SW Herts (Dacorum, Three Rivers, St Albans and Watford) although St Albans City and District Council has not reached the same conclusion. Nevertheless, the evidence base of both WHBC and HBC indicates a common geographic and economic market relationship – with St Albans.
- 5.18. Welwyn Hatfield's Local Plan is based on a strategy which seeks to protect its designated employment areas (including new areas) in order to meet the projected job growth for the borough. The adopted Hertsmere Site Allocations and Development Management Policies Plan also protects a range of employment sites (Employment Areas, a Key Employment Area, and Local Significant Employment Sites) in order to positively manage the supply of jobs within the borough. It is agreed that at the current time, neither authority requires assistance from the other to help meet employment land needs. However this will need to be kept under review given the fluctuations in economic forecasts and the difficulty in protecting the stock of employment land arising from changes to permitted development rights.

Infrastructure

- 5.19. Both authorities agree to continue to work closely to identify and address any issues relating to strategic infrastructure arising from development, in collaboration with infrastructure providers as necessary. This should include the scope for s106 or future CIL funds being used to support the delivery of

infrastructure in the other authority's area, where this is required to offset the impact of growth. The following infrastructure issues are particularly relevant:

- Transport;
- Education;
- Community and leisure facilities.

- 5.20. Transport: Both authorities are members of the A1 Corridor Consortium. Studies have explored where capacity or performance issues may hinder the movement of people or goods as well as growth. Junction or link capacity constraints have been identified in both authority areas. Both authorities will continue to lobby for funding to address congestion on the A1 and associated junctions.
- 5.21. The WHBC Draft IDP has identified key junctions on the road network where mitigation measures are proposed (or not recommended). This includes a localised mitigation measure at the Hawkshead Road/A1000 junction at Little Heath, close to the borough boundary with Hertsmere. Areas where further investigations to examine congestion issues over time have also been identified.
- 5.22. The WHBC Draft IDP has also identified the ongoing need for school travel plans, walking routes and investment in public transport, in order to support modal shift.
- 5.23. WHBC and HBC will continue to work together to ensure there is sufficient capacity on the local and strategic road network to accommodate levels of growth and to positively support programmes and investment opportunities that help to deliver modal shift (from the car).
- 5.24. Education: Both authorities agree to continue to work closely with each other to identify and address any issues in relation to the need for education provision arising from development, in collaboration with Hertfordshire County Council. The southern villages within WH lie within the Potters Bar Planning Area where only limited growth is currently proposed in light of school capacity within the primary and Secondary Planning Areas. WHBC is proposing to carry out an early review of the Local Plan in order to identify both secondary and primary school capacity. This may require coordination between the two authorities and Hertfordshire County Council given the shared schools planning area.
- 5.25. Community and leisure facilities: Both authorities agree to continue to work closely to identify and address any issues relating to community facilities, leisure, sport and recreation needs arising from development in Little Heath which may impact on Potters Bar, in collaboration with infrastructure providers as necessary.

Approach to Plan reviews

- 5.26. Both authorities agree that providing for future housing needs beyond the current Plan periods will be challenging and that joint working (also involving other neighbouring authorities) will be required in order to investigate the

potential to deliver a new garden town or villages(s) in a sustainable location that could meet a substantial proportion of the future housing needs of the respective authorities.

5.27. The two authorities have discussed and agreed that there will be an ongoing need to review and potentially update the evidence base behind each local plan at the stage each plan is reviewed. This new evidence should focus on more strategic issues such as wider housing and economic development needs, infrastructure and Gypsies and Travellers and Travelling Showpeople. Where a strong cross-boundary relationship exists, both authorities agree to involve and share the evidence base with each other and if appropriate, work together on shared areas of technical work.

6. Matters of Disagreement

6.1. At the current time, neither authority has any outstanding Duty to Cooperate concerns relating to current draft plans.

7. Commitment to Future Co-operation

7.1 Both authorities agree to continue to work together consistent with the requirements of the NPPF and Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011.

04_12_17 - Duty to Cooperate Meeting between Welwyn Hatfield Borough Council (WHBC) and Hertsmere Borough Council (HBC)

Reason for Meeting

- To share progress on plan-making, address cross boundary matters and strategic priorities (having regard to our obligations under the 'Duty to Cooperate' introduced by the Localism Act 2011); and more specifically
- To address issues raised by Welwyn Hatfield in response to Hertsmere's Issues and Options consultation and to understand further the evidence supporting the consultation document

Minutes of last Meeting and matters arising

- a. Last DtC meeting between WHBC and HBC took place on 27 February 2017 with minutes circulated and agreed.
- b. An MOU was subsequently agreed between WHBC and HBC dated 25 May 2017. This set out agreed joint strategic priorities and an agreed approach to Plan reviews.
- c. HBC held a Local Plan Review DtC workshop on 5 September 2017 which has attended by officers from HBC, WHBC, DBC, WBC and SADC.
- d. Following the workshop notes were circulated by HBC together with a Local Plan DtC Questionnaire. WHBC returned the completed questionnaire on 14 November 2017

Welwyn Hatfield Local Plan

Examination progress: WHBC provided an update on the WHBC Local Plan examination. Stage 1 hearings took place in late September 2017 and Stage 2 hearings took place in late October 2017. The Inspector's preliminary conclusion at the roundup of the stage 2 hearings was that the plan in its current form is unsound. It was however indicated that the plan could potentially be made sound subject to modifications.

Future timetable: WHBC is currently liaising with the Programme Officer to agree when Stage 3 hearings will take place. It is likely these will be held in February 2018. The Stage 3 hearing sessions will relate to topic based/development management policies.

Additional evidence: At the roundup session of the Stage 2 hearings WHBC was invited to assemble a number of pieces of additional evidence to support the examination including work on the Objectively Assessed Housing Need and in relation to the Green Belt. WHBC has been asked by the inspector to provide information about whether the Objectively Assessed Housing Need is being met across the full Welwyn Hatfield Housing Market Area (HMA). The HMA includes the whole of Welwyn Hatfield borough as well as parts of 6 adjacent boroughs. To address the Inspector's request will require an assessment of the housing which is

proposed to be delivered in the parts of Hertsmere (primarily Potters Bar) which fall within the Welwyn Hatfield HMA. WHBC has requested in writing that Hertsmere provide information on housing supply within this area. WHBC asked about the status of the HBC SHLAA. HBC advised that the housing supply in this location is currently very limited. HBC is early in their new Local Plan process and can only advise WHBC based on their current development strategy. HBC asked about the implications of any development in Hertsmere which would be counted towards the total supply within the Welwyn Hatfield HMA. WHBC provided HBC with a copy of the information which NHDC had provided to WHBC. HBC agreed that HBC would provide a response, however given the need for the data to be provided expeditiously that it would be based on the current development strategy.

WHBC asked HBC about HBC's Brownfield Register. HBC said they had not yet prepared one. WHBC said that WHBC was in the process of preparing one based upon the HELAA.

Hertsmere Local Plan

Timetable: HBC met last week with the South West Herts group of local planning authorities to discuss the way forward with their respective Local Plans. St Albans was present at the meeting. [REDACTED] facilitated discussions around the potential for a joint strategic framework. It was acknowledged that there are increasing pressures from government to consider this type of strategic planning. HBC's Local Development Scheme currently proposes that their new Local Plan will run from 2019-2034 but it is looking likely that the plan period will move back.

DTC workshop: BT thanked HBC for the invite to their DtC workshop in September 2017. HBC advised that the questionnaire circulated by HBC after the event was a good solution to collect key information about DTC matters. WHBC returned the questionnaire to HBC on 14 November 2017. HBC advised that HBC had not yet had an opportunity to analyse the completed questionnaires.

Issue and Options Consultation: HBC's Local Plan Issues and Options consultation took place from 27 September 2017 to 30 November 2017. Approximately xxx responses were received.

Welwyn Hatfield representations to Issues and Options Consultation: Officers discussed WHBC's representation which was submitted on 14 November 2017. Key points discussed included the following:

- **Housing OAN** – WHBC welcomes that the Issues and Options document sets out HBC's full objectively assessed housing need as the starting point for the new plan. BT noted that based on the Government's new proposed housing need methodology that HBC's need would reduce substantially. HBC advised that this was based on a cap but as HBC's Core Strategy will soon be five years old this would soon be removed and the figure would increase substantially such that it would be much closer to the OAN identified in the SW Herts SHMA.

- **Unmet need** – WHBC noted in its response that the document does not mention the need for HBC to consider whether it is in a position to meet unmet need of WHBC or indeed any other DtC partners. The issue of unmet need is identified as a strategic priority within the signed MOU between WHBC and HBC. WHBC's unmet need has increased substantially since the Local Plan was submitted for examination. This is due to new household projections being released which indicate a higher future population and the planning inspector requiring the plan period to be extended one additional year (to 2033).
- **Gypsy and traveller needs** – HBC published an updated Gypsy and Traveller Accommodation Assessment in September. WHBC did not comment on this as part of its Issues and Options consultation response but considers that further dialogue is necessary relating to the assessment, in particular the approach taken to meeting needs generated by the transit site at South Mimms. It was agreed that a joined up approach is needed in relation to the transit site.
- **Green Belt** – WHBC's response to the Issues and Options consultation identified a need for a strategic approach to the Green Belt. It was agreed that the Green Belt would form a key part of future DtC discussions and that there may be a need for a future MOU to agree which parts of the Green Belt that relate to both WHBC and HBC are essential to maintain open to meet the national Green Belt purposes. WHBC considers that this is necessary to inform HBC's chosen approaches to future growth.
- Approaches for **future growth** – WHBC noted the 5 approaches identified as a capable of delivering future growth in Hertsmere. Of particular relevance to Welwyn Hatfield is the proposal for a new garden village west of the A1 and a number of potential garden suburb urban extensions to Potters Bar. HBC advised that there are a number of possible locations for a new garden village and that HBC did not have a preferred site. A number of sites have been promoted for development around Potters Bar but at present these comprise broad locations rather than defined sites. HBC agreed that HBC would keep WHBC informed as more detail on sites emerges or proposals evolve.
- **Infrastructure** – WHBC highlighted that WHBC's Local Plan proposes development in the vicinity of Potters Bar which could have implications for local infrastructure. It will be necessary for HBC to continue to engage with WHBC about their future development strategy for Potters Bar such that a joined up approach to infrastructure provision can be taken. In particular it will be necessary to monitor the local education strategy especially in the event that modifications to the WHBC Local Plan result in

additional development proposals in the borough's southern villages.

03_07_2018 Email from WHBC to HBC requesting Duty to Co-operate

As you know the Welwyn Hatfield Local Plan is currently subject to examination and as part of the examination, the Inspector has requested a statement confirming the Housing Land Supply position within the (defined) Welwyn Hatfield Housing Market Area.

We have previously contacted you to understand your latest position but this was some months ago.

In line with the Duty to Cooperate, we would therefore like to meet with you (at an officer level meeting) to discuss the latest position for both our plans and to explore any issues that may exist within our respective housing market areas.

With this in mind, could you please indicate if any of the following dates would be suitable.

3rd, 4th or 5th July

If these are not suitable could you please suggest an alternative date.

There may be other matters that we need to discuss, we can draft an agenda closer to the time. We are happy to host the meeting at Welwyn Hatfield if that is convenient to you, otherwise, we would be happy to visit you.

29_05_2018 Email from Hertsmere Borough Council to Welwyn Hatfield Borough Council confirming dates

Any of those dates are currently clear so if you would like to suggest a date/time, we can come over to your offices this time. X is on leave but by then X will have joined Hertsmere so it will probably be X and myself.

29_05_2018 Email from Welwyn Hatfield Borough Council to Hertsmere Borough Council.

We can make 2.30pm on 4th July. Room booked. Hope that's ok with you but if not, just let us know.

29_05_2018 Email from Hertsmere Borough Council to Welwyn Hatfield Borough Council confirming dates

That should be fine - we'll see you then.

01_07_2012 Email from Hertsmere Borough Council to Welwyn Hatfield Borough Council Responding to Call for Sites.

Good afternoon,

I am writing in response to your consultation on sites promoted through the Call for Sites 2019 for the Welwyn Hatfield Draft Local Plan. The response below has been prepared by officers and is subject to any final comments from our Portfolio Holder for Planning, Cllr Harvey Cohen which if received, will be forwarded on.

The Council recognises the rationale for undertaking this further call for sites and that detailed assessments of sites' suitability, availability, achievability and deliverability have yet to be undertaken. Although a limited amount of information about the promoted use of a site is included in your report, no detailed supporting documents (if provided by the site promoter) is available. It is not possible to provide detailed comments on the merits of individual sites and we would request that you consult with Hertsmere on your subsequent analysis of these two sites, given the direct implications for Potters Bar.

PB1

This large area of land is understood to have been promoted by Hertfordshire County Council and as has been the case with most of its other land promotions in the area, no supporting information or indicative masterplan has been provided. The site is located within the green belt with significant parts of the site comprising woodland and areas of landscape interest which are designated in your current Local Plan. The site is contiguous with parcel 41 in the Stage 1 Green Belt assessment undertaken by Arup for our Local Plan; the site was identified as strongly performing Green Belt scoring 4 out of 5 against purpose 3 (safeguarding the countryside from encroachment) and 3 out of 5 against purpose 2 (preventing neighbouring towns coalescing). Any potential release of PB1 would have a significant detrimental effects on the wider Green Belt. A more detailed Green Belt assessment of the site would need to be undertaken to identify whether smaller sub-areas exist in this location which perform differently in terms of their contribution both locally and to the wider strategic green belt. This was not undertaken as part of your own Green Belt review and until such work is undertaken, the Council would object to any further consideration of the site.

Notwithstanding this, you will be aware of the Memorandum of Understanding signed by our two Councils which emphasises the importance of identifying and addressing any strategic infrastructure issues arising from development. Development at PB1 in Welwyn Hatfield would impact directly on services and infrastructure in Potters Bar and the Council would not support growth in Welwyn Hatfield which fails to address the infrastructure requirements of Potters Bar. The current Memorandum focusses on the impact on Potters Bar from development in Little Heath and this would need to be updated in the event that any land east of Potters Bar at PB1 were to be considered further.

LHe3

The site would appear to be an extension of BrP7 in your draft Local Plan although the Call for Sites document does not show the two sites together. The additional area would potentially increase the overall capacity of any allocation to over 200 units. This would have a significant impact on infrastructure in Potters Bar itself and the Council would object to any further development to the north of the town, west of Little Heath, in the absence of any commitment to address the impact on services and facilities in the town. The site itself forms part of a moderately performing Green Belt parcel, as identified in the Stage 1 Green Belt assessment undertaken by Arup for our Local Plan, and we note the findings of your Stage 2 Addendum Report (June 2016) which concluded that BrP7 makes a significant contribution to safeguarding the countryside from encroachment, making a major contribution to the gap between Potters Bar and Brookmans Park. In light of this, exceptional circumstances would need to exist to justify any change to the Green Belt boundary in this location, consistent with paragraph 135 of the NPPF.

01_07_2019 Email from Welwyn Hatfield Borough Council to Hertsmere Borough Council in response to the previous email.

Welwyn Hatfield Draft Local Plan – consultation on sites promoted through the Call for Sites 2019

We are in receipt of your comments recently submitted in connection with the above consultation event.

If you were not previously registered on our Local Plan database, your personal details will be added to that database and once your comments have been processed, they will be published (with your name) on the council's website. Due to the volume of responses that we receive, this may take a few weeks to complete.

Information on how we use and protect your privacy can be found on the council's website www.welhat.gov.uk/privacy-notice

If you have a question or any concerns about this, please contact us on [REDACTED]

[REDACTED]

Oliver Dowden MP's letter (12 June 2019) regarding the Welwyn Hatfield Draft Local Plan:

- **From:** Oliver Dowden CBE MP, Member of Parliament for Hertsmere
- **To:** Head of Planning, Welwyn Hatfield Borough Council

Re: Welwyn Hatfield Draft Local Plan

I am writing in my capacity as the Member of Parliament for Hertsmere in response to the consultation on the sites promoted through the Call for Sites as part of the Welwyn Hatfield Draft Local Plan.

On behalf of my constituents I wish to raise concerns about sites which have come forward near Potters Bar, namely; LHe3, LHe4, LHe5, Nor1, Nor3, Nor12, SB1, SB2, SB3 and PB1. While these sites are contained within the Welwyn Hatfield Draft Local Plan, due to their proximity to Potters Bar their infrastructure needs will clearly need to be met by the Borough of Hertsmere.

The town's transport infrastructure is already under pressure. The road network faces extremely heavy usage and while improvements I have pressed for on the railway are beginning to take effect, passengers are not yet getting the service they deserve. Any new housing will inevitably only increase the traffic on the roads and the number of passengers using the station.

On education, projections from the County Council have clearly shown that without the addition of new school capacity, Potters Bar will be facing shortages of places in the years ahead. Turning to health, I know many constituents are concerned over access to locally based health services. I was pleased to secure commitments to the future of Potters Bar Community Hospital from Herts Valley Clinical Commissioning Group last year. However, any future increase in the size of the town will place significant new pressure on these services.

Similarly, there will also be increased demand placed on the town's emergency services that keep us safe, including Fire & Rescue and Herts Constabulary, whom I have recently visited. If new housing is constructed on the sites above, the Council must ensure it meets its duty to co-operate with Hertsmere Borough Council and that it details in its Local Plan how any growth will be matched by commensurate investment in roads, transport, schools, medical facilities and the emergency services.

Equally, if these sites are included within the Plan for development, there will be a significant impact on the green open spaces surrounding Potters Bar. This land is deeply valued by local residents and it is vitally important that we preserve our precious countryside for future generations.

Many residents of Potters Bar have written to me to raise grave concerns about the size and scale of this proposed development, in particular site PB1. As the site title implies, the principal effect of this development will be felt in Potters Bar and if fully developed would significantly alter the nature and character of the town.

I of course appreciate the considerable pressure that you are under to bring forward new sites for development to meet the housing needs of our children and grandchildren, I would urge you to ensure this is not at the expense of what makes our area so special.

I therefore urge the Council to carefully consider these points when deciding on whether to include these sites within its Draft Local Plan.

31_01_2020 Letter from Hertsmere Borough Council to Welwyn Hatfield Borough Council regarding unmet Housing need.

Hertsmere Local Plan

Hertsmere Borough Council is currently progressing work on its own Local Plan which will cover the period from 2018 to 2036.

As part of the duty to cooperate process, we have been actively engaging with all of our neighbours and stakeholders to consider how Hertsmere will meet its own identified housing and employment needs. The standard national methodology for assessing housing need has resulted in an annual requirement of 750 homes per annum (incorporating a 5% buffer, as required by the NPPF) or 13,500 homes over the plan period. By comparison, our current Local Plan which was adopted 2013, has an annual housing requirement of 266 homes. That Plan is now more than five years old and therefore deemed to be 'out of date' in determining our future strategic growth requirements.

We recognise that there is an agreement in principle to progress a joint plan for the South West Herts Housing Market Area, which would involve a comprehensive and comparative assessment of Green Belt land. Clearly this will not be in place in time to inform our new Local Plan and there remains a need for Hertsmere to bring forward this new plan without delay.

Following a Call for Sites, we have consulted on a Potential Sites for Housing and Employment document which identified and summarised the site proposals initially put forward by landowners and developers. Hertsmere's current housing and employment land capacity is considered to be solely that which can be developed on previously developed land and includes all sources on land not covered by Green Belt designation. We also recognise that there is greater emphasis in the NPPF on making effective use of land (chapter 11) and maximising densities (chapter 13) as a preliminary requirement prior to assessing where Green Belt land might be taken and whether exceptional circumstances exist for doing so. Given these requirements and to ensure that previously developed land is maximised, we have set out to:

- 1) Review the housing densities and capacities of all potential sites located within major settlement boundaries, and applying a significant uplift in the average density of residential development in accordance with paragraph 123 of the NPPF.
- 2) Assess the utilisation of local vacant housing stock as a source of untapped brownfield housing supply.
- 3) Review the achievability and deliverability of Hertsmere's own land assets.
- 4) Contact owners/occupiers of major brownfields sites who have not yet submitted any of their land holdings.

Our Housing and Economic Land Availability Assessment (HELAA), published in 2019, points to a capacity of less than 2,500 homes on previously developed land. This includes an allowance for windfall development and existing commitments. We are hopeful that around two-thirds of our employment

requirement of over 25ha of employment can be accommodated within land which has previously been safeguarded for such purposes in our current Local Plan.

There is therefore a very significant shortfall between the potential housing capacity of Hertsmere's previously developed land and the level of identified need, as well as a clear deficit of land required to meet employment needs over the plan period. As an authority with almost 80% of its area designated as Green Belt, we are therefore asking you whether your authority is able to accommodate some of the growth shortfall identified within Hertsmere. A similar request has also been sent to all neighbouring authorities and other authorities within our HMA.

We are intending to arrange a Duty to Co-operate workshop in due course to discuss our emerging plan and potential cross boundary issues arising, and will be in contact again with more details about this event. In the meantime, I would be grateful for a response to this letter at the earliest opportunity.

If you have any queries relating to the above request, please do not hesitate to get in contact.

10_02_2020 Email sent from Hertsmere Borough Council to Welwyn Hatfield Borough Council regarding IDP

Hertsmere Borough Council has appointed consultants ARUP to prepare an Infrastructure Delivery Plan (IDP) to establish the level of infrastructure provision (and associated cost) required to support growth in the Borough to 2036.

The IDP will also provide a basis for developing our new Infrastructure Funding Statement (IFS), which will set out the Council’s spending priorities for infrastructure projects to be funded through money we have collected from developer contributions (both via our Community Infrastructure Levy and through S106 agreements).

In order to make our Infrastructure Delivery Plan as comprehensive as possible we are contacting duty to cooperate bodies to ask for any input that they have. If there are any cross-boundary infrastructure issues or other relevant information you think we should be made aware of please let us know.

The council would be happy to receive any comments that you have by email but if you would like to speak to our consultants about the IDP and any concerns that you can also book a time slot to speak with them. Please refer to the tables below and let us know your availability.

If you could please send any comments by **Friday 20 December 2019** or if you would like a call instead, your availability as soon as possible.

Organisation	
Contact Name	
Job Title	
Contact Email	
Contact Phone	

Time	Mon 09 Dec	Tue 10 Dec	Wed 11 Dec	Thu 12 Dec	Fri 13 Dec
09:00 – 11:00					
11:00 – 13:00					
13:00 – 15:00					
15:00 – 17:00					

Time	Mon 16 Dec	Tue 17 Dec	Wed 18 Dec	Thu 19 Dec	Fri 20 Dec
09:00 – 11:00					
11:00 – 13:00					

13:00 – 15:00					
15:00 – 17:00					

Thank you for your time and cooperation.

10_02_2020 Follow up email tom Hertsmere Borough Council to Welwyn Hatfield Borough Council regarding the IDP

As mentioned in a recent email, I was wondering if you or a colleague were able to rely to the email below, sent by my team on behalf of consultants ARUP, who are carrying out an update to our Infrastructure Delivery Plan (IDP)?

In particular they are keen to know your thoughts on the following questions:

1. To what extent do you consider there to be cross-boundary infrastructure linkages with Hertsmere, e.g. transport corridors, education flows, shared reliance on utilities?
2. Are there any notable infrastructure improvements in the pipeline in your local authority area that might be of relevance to Hertsmere?
3. Is there any infrastructure within Hertsmere which you will potentially be reliant upon to accommodate future growth within your local authority area?

I have taken the liberty of advising them as follows, but please let me know if there is anything I have missed. Alternatively, if you would like a more detailed chat, please contact Rob Webster at ARUP direct (cc'd into this message), or we can discuss at our forthcoming DtC meeting. Some of these issues are obviously alluded to in the MOU the two councils previously signed, which I have attached for Rob's benefit. We can discuss if this needs to be updated to reflect the latest Local Plan position when we meet.

- **Water** – potable (general issue across county) and waste (future capacity issues especially Maple Lodge Waste Water treatment works and potentially Rye Meads)
- **Strategic Road network** – particular importance of the A1(M) and A414 to transport movements within the area.
- **Local road network** – local pressures and congestion
- **Secondary schooling** – complicated cross boundary relationships due to parental choice based on selection / faith / OFSTEAD ratings. Particularly affecting Potters Bar school places.
- **Rail** – Capacity on the route through Potters Bar and potential demands on smaller stations as a result of growth in both boroughs.
- **Green Infrastructure** – general links
- **Health** – Watford is the closest hospital for many Hertsmere residents, however, residents from Potters Bar are likely to look north and may also use The QEII Hospital in Welwyn and/or the private hospital at Hatfield. I expect there are also some links between the boroughs in terms of where residents in the villages north of Potters Bar access GP provision.

I would like to discuss the impact of any additional planned growth on the Welwyn Hatfield side of Potters Bar on the above, and also the potential impact of the potential new settlement at Tyttenhanger on infrastructure within your area.

30_10_2020 Duty to Co-operate Meeting between Hertsmere Borough Council and Welwyn Hatfield Borough Council.

Local Plan updates

HERTSMERE

Progress / Numbers

- Revised LDS shows publication of the plan in May 2021.
- Aiming to try to meet the numbers arising from the standard method (just over 700 homes / year) from 2018 – 2036/7, as no scope for adjoining LPAs to help meet needs as all have advised they are equally constrained and struggling to accommodate their own locally generated growth.
- There will therefore need to be significant levels of development in the Green Belt, as brownfield / urban capacity options are very limited – for homes and employment uses.
- Member Planning Panel has met in private to discuss growth options / strategic sites and draft policies and meets next week to consider draft policies for these strategic sites.

Potential sites – including new settlement at Bowmans Cross and sites at Potters Bar

- Officers advised that consideration was being given to a number of strategic sites within Potters Bar, and so like all main settlement in the borough, it was likely to be a location of significant new growth.
- Options for a potential new settlement have been narrowed down and the only promotion now considered to be deliverable as a stand-alone development is the Bowmans Cross scheme – formerly known as the Tyttehanger or Redwell Garden Village. It was noted that an Officer from WelHat attended the recent technical workshop hosted by urban and Civic to discuss their emerging proposals for this site.
- The Bowmans Cross promotion is now for c6k homes and associated infrastructure and uses, with c2.5k delivered in the new plan period.
- It was noted that Officers from HBC had met with Officers and the Portfolio Holder at St Albans Council, as they were aware that there were significant cross boundary issues and concerns. Officers had also met with London Colney and Colney Heath Parish Councils.
- An offer was made for HBC Officers / members to meet with representatives for WelHat council if this was considered appropriate.

- Options for potential links between other promoted sites on the HBC-side of Potters Bar were discussed in terms of their potential to link with promoted sites in WelHat. This included land to the east of Potters Bar and to the north at Little Heath. These cross linkages include infrastructure considerations – especially schools and transport.

Actions:

1. WHBC to advise if / when it was considered any meetings with Members from either WelHat Council or local parish councils would be appropriate.

WELWN HATFIELD

Progress / Numbers

- Hearings were held over the summer, which included discussions on sites.
- Inspector has just issued an interim report on the submitted plan. Most of its content was expected.
- His comments include reference to the fact that the new proposed settlement at Symonsyde needs to be bigger to be viable, and that new settlement should, in his view, be the last resort. He also considers Birchall Garden Suburb should reduce by c50%. He also wanted liaison between the two councils re future GB boundaries.
- Updated OAN work is underway. OAN for agreed plan period is 715 homes / year. The figure in the submitted plan did not meet OAN as established at that time – it was c4k short, with no agreed mechanism to meet the shortfall. Inspector considers that the area could bring forward additional sites to plug this gap.
- Inspector has set clear timescales for completing additional work that he has requested, requiring all additional work to be completed by the end of 2020.
- It is expected that if this timetable is met then the hearings will reconvene in February / March. If the deadlines is not met the Inspector has said he will be forced to find the plan unsound.

Potential sites – including land to east of Potters Bar

- This site immediately adjoins Potters Bar and is being promoted by HCC. STh shared a document with HBC Officers that has recently been received from consultants working on behalf of HCC. It was previously discounted by

WelHat Officers due to concerns regarding access, linkages with the existing town for pedestrians and cyclists and the impact on local wildlife sites.

- Latest submission from site promoter seeks to overcome previous concerns – with pedestrian / cycle link through a reconfigured layout for Oakmere primary school, a speed limit reduction allowing for narrower visibility splays at the access and some mitigation for the loss of the wildlife site. It was noted that the Inspector has not seen this revised site information yet.
- It was noted that HBC had previously raised objections to the site – primarily on the basis of infrastructure constraints - and that these concerns remained.
- It was agreed that if this site were to progress there would need to be further discussions about its impact on infrastructure within Potters Bar – especially regarding primary and secondary schools – and that this needed to take into account future planned growth in Hertsmere.
- It was noted that the two councils were working to different pupil yield assumptions for schools due to these recently having been changed by HCC. There would be the need to reconcile this in any future schooling discussions.

Actions:

2. HBC and WelHat to meet separately to discuss logical future Green Belt boundaries that relate sensibly to one another across the borough boundaries. WHBC to send GIS later to HBC to assist with this discussion.
3. HBC and WelHat Officers to meet separately to discuss potential linkages between the HCC promotion and other site promotions within Hertsmere.
4. WelHat to advise HBC Officers as soon as possible after the Member meeting on 12th November if the HCC site is likely to be put forward to the Inspector for inclusion in the revised plan.

Cross boundary infrastructure matters

See above.

Joint Strategic Plan updates

- LW gave a brief update on progress with the SW Herts JSP, with key milestones being the recent public engagement and a Member meeting next week to help inform the Strategic Growth Locations Study and Multi Modal Study.

- ST advised that the NE Central work was considerably behind that of the SW Herts group. A similar piece of technical work was however being commissioned and it was agreed that this would help with ensuring linkages across the two areas in the future.

AOB

None.

01_12_2020 Duty to Co-operate Meeting between Hertsmere Borough Council and Welwyn Hatfield Borough Council.

Aim of meeting

To discuss the latest position regarding potential site allocations the Welwyn Hatfield Plan, and any infrastructure issues and cross boundary issues arising.

Key points discussed

OAN discussions were complicated, Members rejected the Turelys estimate of 14,300 home based on 2018 household growth project (based on 5 year trends), and the Inceptors position of 16,800 based on latest ONS projects. The Council's position is that the figure is 13,800. The Council has written to the Inspector to this effect and has reminded the Council vis the Programme that this is a 'soundness' issue.

The Council has provided the Inspector with a revised list of sites, which equate to 13,277 dwellings.

Little Heath site – Officers are recommending site is removed from the plan, but that this in the hands of the Inspector to decide.

PB1 site to the east of Potters Bar is not being considered for c700 homes – significantly more than referred to in the sites consultation document. This extra 700 units would get the council to the Members OAN figure of 13,800. It is being suggested to the Inspector as a 'safeguarded' site that could be released earlier via local Plan review if needed to meet dwelling numbers. WelHat Officers have advised the Inspector that this site would work much better if linked to any potential release on adjacent land in the HBC area. Inspector could decide to accept the safeguarded allocation; request it is included as a Broad Location; or not accept the site and instead prefer some of the 'high Greeb Belt harm' sites.

Hearing sessions likely to commence in Feb/March for sites discussions if the plan is not found 'unsound' before then due to the OAN issue.

Agreed actions

None.

AOB

None.

31_03_2021 Hertsmere Borough Council Response to Welwyn Hatfield Borough Council regarding a site allocation a site allocation in Little Heath 2020

Any major development in Little Heath would impact on Potters Bar in terms of infrastructure, given the contiguous position of Little Heath on the edge of the settlement. We do note however, that one of the sites already selected in the Draft Local Plan is now planned to be removed due to reasons of high harm as stated in the GB3 assessment, which is a position we support. However, the inclusion of an additional site (LHe4/5) still raises potential issues of the cumulative effect on local services in Potters Bar, particularly given the proposed inclusion of PB1 as well as LHe1. These infrastructure requirements should be clearly addressed so that the impact of any development in Little Heath on infrastructure in Potters Bar is properly mitigated. The settlement of Little Heath adjoins and is contiguous with Potters Bar which is located within Hertsmere BC's area.

31_03_2021 Hertsmere Borough Council Response to Welwyn Hatfield Borough Council regarding a site allocation in Potters Bar – PB1

Concerns on Evidence:

Observes lack of reference to site-specific evidence from promoters, making it difficult to fully assess potential issues, even for larger sites.

Site Assessment:

- Site previously deemed unsuitable in HELAA due to access issues; supports officers' position on this.
- Green Belt Assessment (GB3) rates site as '**Moderate-High**' harm, and report recommends removing all sites with this rating or higher. Notes inconsistency in Council's position if site remains included.

Infrastructure Issues:

- Although site is smaller than before, infrastructure funding and delivery for Potters Bar remain significant challenges.

Major services (schools, healthcare) implications must be addressed clearly in line with the Memorandum of Understanding if site inclusion is pursued. The response questions the justification for reconsultation based on the site's proximity to Potters Bar, noting there is currently no direct access to the town centre and no clear plan for achieving it. It highlights difficulty in assessing the plan's soundness due to significant changes since 2016 and a lack of transparency in how site selection factors were weighed, particularly regarding Green Belt harm. While acknowledging efforts to meet housing need, it raises concerns that recent revisions leave the plan falling short, with implications for its examination and compliance.

Conclusion:

Given Green Belt harm rating and unresolved access issues, justification and deliverability of the site remain unclear, HBC advise that PB1 is removed from the WHBC draft Local Plan.

08_07_2021 Duty to Co-operate Meeting between Hertsmere Borough Council and Welwyn Hatfield Borough Council

Introductions

Attendees introduced themselves and WHBC outlined the recent changes in terms of teams' personnel.

Update on WHBC examination and next steps

WHBC advised that the stage 9 sessions has concluded prior to the local elections. A series of reports have been received from the Inspector. These relate to revised OAN, villages sites, approach to selecting sites and what is required to achieve a sound plan. These will be published on the Council's website.

The Inspector's assessment is that the full OAN is now 15,200. This is 800 units less than the previous figure, but more than WelHat had considered appropriate. This was due to the assumptions on uplift made by the Inspector to take account of recent economic growth and levels of in-commuting. This figure is marginally lower than the figure generated by the Govt standard method.

Full Council will consider if they can accept the Inspector's required changes or not at Full Council in September.

The implications in terms of sites near the HBC boundary are limited.

Site PB1 is definitely not going to be included as the Inspector has decided not to examine this as it was submitted too late in the process. Little Heath – likely to be a maximum of 170 units.

Update on HBC's emerging Reg 18 plan, including:

- a) Key dates
- b) Proposed new settlement at Bowmans Cross – update and approach to consultation / engagement with Members and Parishes
- c) Proposed Potters Bar site allocations and designations.

Reg 18 plan to be consider by executive on 14th September and Full Council on 30th September, with 6 week consultation during October / November.

HBC shared a series of maps to highlight the key elements of the Bowmans Cross new settlement proposal including:

- Number of homes expected to be delivered within plan period and number after – totalling 6k.
- 2 x secondary schools (18fe)
- 5 x primary schools (15fe)
- Local and neighbourhood centres
- Transport hub
- Gypsy and Traveller pitches
- Open space
- Sustainable transport connections being considered – including links to stations in WelHat and to MRT.

WHBC noted the proximity of the site to the WelHat boundary. They also advised HBC Officers read the WelHat Inspector's report on Simonside, as this sets out his expectations regarding the level of detail needed to support a new settlement.

HBC Officers outlined the likely content of the Reg 18 plan regarding growth in the Potters Bar area. This reflected what had been advised at the previous meeting, with the exception of site being promoted by Enfield next to WelHat's PB1 site, which has been deleted from further consideration due to access issues. Main sites are expected to be between Potters Bar and M25 (900 units) and former Potters Bar Golf Course (c500 units), plus extension to Cranbourne Road employment area and recognition of need to improve Darkes Lane shopping area in Potters Bar.

Action: *Officers to advise if WelHat wish to arrange a more regular catch-up meeting with HBC to discuss progress of the new settlement proposal. This could involve attending the meetings that are currently held with St Albans or be held separately.*

Action: *Officers to speak to Bowmans Cross site promoters and advise that any engagement with WelHat parishes should ideally follow any Ward Councillor briefings.*

Action: *HBC to liaise regarding the timing of any Ward Councillor liaison. It is agreed that this may be best to arrange post 14th September when the Reg 18 plan was in the public domain, but would need to be carefully co-ordinated with ward Councillor briefings within HBC's own area, and in St Albans.*

Action: *WHBC to pass contact details to HBC Officers of any residents groups who should be advised when the HBC Reg 18 plan is published. This may require requesting permission from them to pass on contact details to comply with GDPR.*

Action: WHBC to liaise with HBC regarding flagging the HBC Reg 18 consultation in in WelHat's LP e-newsletter.

Update re cross boundary infrastructure issues

It was agreed that the two main cross boundary issues were secondary school education and transport.

Secondary schooling was no longer expected to be an issue based on current advice from HCC regarding the cumulative planned levels of growth in Potters Bar and immediate surroundings.

Action: HCC Officers to be asked to liaise regarding any transport implications - especially with regard to sustainable travel routes to Welham Green and/or Brookmans Park stations.

Implications of recent Colney Heath appeal decision

WelHat and St Albans had taken legal advice and are not going to challenge the decision as a result of the advice received. However this legal advice indicates that the case was very locationally specific and so perhaps not the 'landmark decision' it has been portrayed to be in the planning press.

HCC Developer Contributions – response and approach

Concerns regarding the impact of the new sums that are likely to be required by HCC were discussed.

WHBC confirmed that 2 of the three new secondary schools being planned were through schools – an approach HBC had been advised they did not support.

Joint Strategic Plan updates

- a) North East Central
- b) SW Herts

To discuss further via HPG dev Plans.

AOB

None