

# Appendix 16: Present Duty to Co-Operate Actions with Welwyn Hatfield Borough Council



<b>22/09/2025 - Email from HBC</b>	Request for Key Housing sites and economic site allocations
<b>23/09/2025 - Email from WHBC</b>	Agreement to allocations and request for D2C
<b>24/09/2025 - Email from HBC</b>	Response to previous email
<b>25/09/2025 - Email from WHBC</b>	Requested sites and call for sites info
<b>02/10/2025 - Email from HBC</b>	Receipt of previous email and request for shapefiles
<b>10/10/2025 - Email from HBC</b>	Follow up from previous email
<b>13/10/2025 - Email from WHBC</b>	Request for D2C meeting to discuss sites and SFRA
<b>14/10/2025 - Email from HBC</b>	Request for details and SFRA report
<b>14/10/2025 - Email from WHBC</b>	Shapefiles and further D2C meeting request
<b>28/10/2025 - Email from HBC</b>	Request to Duty to Co-operate
<b>29/10/2025 - Email from HBC</b>	Confirmation of meeting date
<b>30/10/2025 - Email from HBC</b>	Reschedule of meeting
<b>03/11/2025 - Email from HBC</b>	Confirmation of who is attending from WHBC
<b>03/11/2025 - Email from WHBC</b>	Confirmation of attendance and timings
<b>03/11/2025 - Email from HBC</b>	Reschedule of meeting
<b>03/11/2025 - Email from WHBC</b>	Confirmation of attendance
<b>06/11/2025 - Email from HBC</b>	Circulation of meeting link for 21_11_2025
<b>20/11/2025 - Email from HBC</b>	Circulation of Agenda

**Hertsmere Initial Duty to Co-operate Meeting with St Albans District Council, Three Rivers District Council, Watford Borough Council and Welwyn Hatfield Borough Council.**

21 November 2025, 12:02pm

#### Attendees:

- Planning Policy Officer, Hertsmere
- Planning Policy Team Leader, Hertsmere
- Planning Strategy & Implementation Manager, Hertsmere
- Spatial Planning Manager, St Albans
- Head of Planning Policy & Conservation, Three Rivers
- Place Shaping Lead, Watford
- Planning Policy Officer, Welwyn Hatfield
- Senior Planning Policy Officer, Welwyn Hatfield

#### Purpose of Meeting

- Ensure legal compliance with Duty to Co-operate (DtC) for Hertsmere's emerging Local Plan. The Council are keen to ensure that matters of legal compliance do not derail the future examination.
- Share progress updates in relation to the emerging technical evidence base, and the emerging spatial strategy, planning policies and site allocations.
- Identify strategic cross-boundary issues for Statements of Common Ground (SoCG).
- Build collaborative relationships across Hertfordshire authorities.

#### Key Updates from Authorities

- **St Albans**
  - At Stage 2 examination hearings; main modifications expected early 2026.
  - Signed SoCG with Hertsmere; cross-boundary issues include Harper Lane and Bowmans Cross.
  - Inspector demanded extensive DtC evidence; clear Green Belt and site selection methodology critical.
- **Three Rivers**
  - Targeting Reg 19 consultation in Feb 2026; timetable very tight.
  - Housing provision at ~75% of standard method; risk of further reduction.
  - Will seek legal advice and inspector advisory visit on unmet need.
- **Watford**
  - Adopted Local Plan in Oct 2022; waiting for new NPPF.
  - Preparing for future unitary plan; evidence base outdated.

- Has SoCG with Hertsmere (Aug 2021).
- **Welwyn Hatfield**
  - Reg 18 consultation planned for Feb 2026; Reg 19 by summer 2026.
  - Tight timetable; Green Belt review and viability work ongoing.
  - Potential cross-boundary site near Little Heath flagged.
- **Hertsmere**
  - Ambitious LDS: submission before end of 2026 under current system.
  - Reg 18 consultation in Q1 2026.
  - Evidence base: AECOM leading 25 studies; AR Urbanism preparing settlement visions.
  - Spatial strategy:
    - Meet housing need in full.
    - Urban intensification, regeneration, taller buildings, windfall sites.
    - Green Belt changes inevitable.
    - Exploring new settlement (long-term, post-year 11 of plan period).

### **Strategic Issues Identified**

- Settlement hierarchy remains broadly unchanged (Borehamwood top tier).
- Green Belt review and site selection methodologies critical for soundness.
- Future boundary changes and approach to plan reviews noted.
- Industrial/employment land diversity: film industry reliance vs. strategic logistics/data centres.
- Water scarcity and flood risk highlighted as emerging issues.

### **Next Steps**

- Share missing SoCGs, historic DtC records, and key evidence documents – Hertsmere is seeking to create a chronology that maps duty to co-operate activities that lead up to and informed current plan-making.
- Where necessary, develop SoCGs with partners covering strategic issues (housing, Green Belt, infrastructure, employment land).
- Monitor Hertfordshire SDS implications and London Plan review.
- Continue bilateral discussions on cross-boundary sites (e.g., Bowmans Cross, Little Heath).

## **Note for Hertsmere Neighbouring Authorities on settlement classification**

### **Welwyn Hatfield Borough Council**

#### **Introduction**

On behalf of Hertsmere Borough Council, AECOM is undertaking a Green Belt Assessment (GBA) aimed at identifying grey belt, in line with the Green Belt PPG.

The aim of this note is to explain key aspects of the Hertsmere GBA methodology to allow neighbouring authorities to comment, and if relevant to enable suitable aligned methodologies. The key matter to discuss is the settlement classification.

#### **Settlement classification**

With regards to large built up areas (LBUAs), we are proposing three of relevance to the study area: Borehamwood, London, Watford. In each case the LBUA extends only as far as the Green Belt inset boundary.

With regards to distinguishing between towns and villages, we recognise that there is no accepted definition, and so there is a need to account for locally defined factors.

The factors taken into account in our definition included:

- Population (based on Census data available at OA level)
- Settlement hierarchy
- Transport accessibility (including presence of a rail station and its level of connectivity, relationship to strategic and major road networks)
- Education facilities (including presence of primary and secondary schools)
- Wider facilities (including shops, healthcare, leisure, services, etc.)

As rules of thumb, we have been using approximately 5,000 as the population cut-off between a village and a town, and 75,000 as the population cut-off between a town and a LBUA. However, some judgement is required depending on the accessibility and services available in the settlement as per the points above.

With regards to historic towns, the previous study identified Watford, Bushey and Radlett. For the purposes of this study, it was found that the historic nature of these settlements was not significant due to lack of adjacency to the Green Belt, and the historic areas not being strongly associated with a landscape setting.

With regards to **Welwyn**, we are currently intending to classify Potters Bar as a town, and Brookmans Park as a village.

The settlement classification including settlements close to the Welwyn border is as follows:

<b>Settlement type</b>	<b>Settlement</b>	<b>Relationship to LPA</b>
<b>LBUA</b>	Borehamwood	Wholly within
	Watford	Neighbouring authority (Watford)
	Greater London (including South Oxhey)	Neighbouring authorities (Barnet, Enfield, Harrow, Three Rivers)
<b>Town</b>	Potters Bar	Partly within
	Bushey	Wholly within
	Radlett	Wholly within
	London Colney	Neighbouring authority (St Albans)
<b>Village</b>	Shenley	Wholly within
	Elstree	Wholly within
	South Mimms	Wholly within
	Aldenham (including Wall Hall)	Wholly within
	Letchmore Heath	Wholly within
	Patchetts Green	Wholly within
	Ridge	Wholly within
	Brookmans Park	Neighbouring authority (Welwyn)
	Bricket Wood	Neighbouring authority (St Albans)

### **Questions for Welwyn Borough Council**

- Do you agree with the classification of the settlements within Welwyn?

<b>04/12/2025 - Email from WHBC</b>	Review of greenbelt notes and response to HBC
<b>19/01/2026 - Email from HBC</b>	Organisation of future D2C meeting
<b>19/01/2026 - Email from WHBC</b>	Confirmation of availability
<b>23/01/2026 - Email from HBC</b>	Request for availability
<b>26/01/2026 - Email from HBC</b>	Further information regarding proposed meeting
<b>26/01/2026 - Email from WHBC</b>	Confirmation of availability
<b>27/01/2026 - Email from HBC</b>	Proposal for new meeting date on 09_02_2026
<b>27/01/2026 - Email from WHBC</b>	Confirmation of availability
<b>28/01/2026 - Email from HBC</b>	Circulation of meeting link for 09_02_2026

## **09\_02\_2026 Hertsmere Duty to Co-operate meeting with St Albans, Watford, Three Rivers and Welwyn Hatfield**

### **Executive Summary**

The Duty to Co-operate meeting (9 February 2026) between Hertsmere, St Albans, Watford, Three Rivers, and Welwyn Hatfield focused on Local Plan updates, early findings from Hertsmere's evidence-base studies, cross-boundary issues, and emerging strategic considerations — including Green Belt, housing delivery, viability, and potential new settlement proposals.

Authorities provided updates on their Local Plan positions, with several facing tight government deadlines, holding directions, or complex adoption/transition processes. Hertsmere presented initial findings from key studies: Settlement Hierarchy, Retail, Viability, and Green Belt (Purposes A & B, and Footnote 7 constraints). These indicate Borehamwood as the main settlement focus; significant leisure and retail constraints; strong viability but delivery challenges; and early identification of areas with potential for release or provisional "grey belt."

The group also discussed housing delivery pressures, market capacity concerns, the impact of the Building Safety Levy, and differing approaches to density and viability expectations. Initial conversations began regarding a potential new settlement (Bowman's Cross), with Hertsmere committing to follow up individually with neighbouring councils.

The meeting closed with agreement to continue sharing evidence as it becomes publishable, maintain collaboration regardless of national changes to the Duty to Co-operate, and hold further targeted discussions on new settlements, HMOs, and Article 4 Directions.

### **Attendees**

(from introductions and interventions in the transcript)

Hertsmere Borough Council

- Planning Policy Officer (Duty to Co-operate lead)
- Planning Policy Team Leader

Three Rivers District Council

- Head of Planning Policy & Conservation

Welwyn Hatfield Borough Council

- Planning Policy Manager

Watford Borough Council

- Place Shaping Lead

St Albans City & District Council

- Spatial Planning Manager

## **Actions**

For Hertsmere

- Circulate edited PowerPoint slides (excluding sensitive content) and share further technical study outputs as they become publishable.
- Send housing allocation letters to neighbouring authorities.
- Arrange separate discussions with St Albans and Welwyn Hatfield regarding the potential new settlement (Bowman's Cross).
- Email authorities requesting insight on HMOs and Article 4 Directions.
- Continue progressing Regulation 18 consultation for late April, with subsequent quick transition to Regulation 19.

For Partner Authorities (St Albans, Watford, Three Rivers, Welwyn Hatfield)

- Review forthcoming evidence from Hertsmere once provided, including Green Belt, viability, retail and settlement hierarchy studies.
- Engage early with Hertsmere regarding discussions on the potential new settlement, especially impacts on strategic infrastructure and cross-boundary considerations.
- Share any relevant insights on housing delivery challenges, developer behaviour, viability pressures, or approaches to Article 4 for HMOs.

Joint / Ongoing

- Continue Duty to Co-operate engagement regardless of future national policy changes.
- Maintain cross-boundary dialogue on market capacity, delivery constraints, and emerging spatial strategy implications.
- Consider future joint evidence opportunities where appropriate (e.g., Watford's potential joint studies funded by grant review).

**10/02/2026 - Email from HBC Letter sent to WHBC regarding HBC housing numbers**

### **Hertsmere Local Plan – Meeting the Housing Requirement**

I am contacting you in relation to the on-going discharge of the Duty to Co-operate that forms part of Hertsmere's Local Plan-making process. Hertsmere Borough Council (the Council) is already engaging with your organisations, in discharging the requirements of the Duty, in respect of relevant strategic cross boundary matters. It is envisaged that process will continue through the remaining stages of the regulatory process.

This communication is specific to Hertsmere's housing requirement. For the purposes of discharging the requirements of the Duty, this communication identifies the anticipated housing requirement. It confirms that the Council intend to meet the supply and delivery of the housing requirement in full during the forthcoming plan period. Regardless of this objective, Hertsmere's neighbours are invited to state whether they have the capacity to supply and deliver any unmet housing need that may arise during the forthcoming plan period. Responses will be recorded as part of the Duty and reported as necessary. It is anticipated that this will form a necessary part of the future examination in public.

The adopted Hertsmere Local Plan sets out the requirement for housing provision for the Borough between 2012 and 2027. This equates to 266 homes per annum. However, as the adopted plan is now more than five years old, this figure is now out-of-date and no longer applies for plan-making or decision-taking. The figure that must now be used to calculate the Borough's housing requirement is the latest standard method set out in the national planning guidance. Using the standard method leads to a housing requirement of 1,010 additional homes per annum without any buffer applied.

The Housing Delivery Test measurement has shown that the development industry has performed poorly in building-out their consents in the anticipated timely manner – falling below 85% delivery over the three year reporting period. As a consequence, the Borough is subject to the application of the 20% buffer on the five year housing supply. Annualised, this equates to 1,212 additional homes per annum, which will apply for as long as delivery performance remains below 85% over a three year period. Once delivery exceeds 85% the buffer will fall away and Hertsmere's housing target will return to 1,010 additional homes per annum.

Hertsmere Borough Council is currently reviewing its local planning policy. This work is supported by a comprehensive technical evidence base, including the Local Housing Need Assessment, Green Belt Study, and Local Plan Viability Assessment. A full assessment of sites identified through the HELAA and the Call for Sites process is also underway. Collectively, this evidence will inform the preparation of the new Local Plan, which will be published for consultation under Regulations 18 and 19.

To be found sound at examination, the Council is seeking to meet all of its housing needs. However, in order to discharge the Duty to Cooperate, we are asking

neighbouring authorities to confirm their housing capacity and whether they have the ability to accommodate the supply and delivery of any unmet housing need that may arise during the plan period.

The Council is already engaging with relevant national bodies and neighbouring authorities through the Duty to Cooperate. We expect this engagement to continue through the forthcoming regulatory stages, and we anticipate agreeing Statements of Common Ground that set out actions on strategic spatial planning issues.

If you have any queries regarding this request, please do not hesitate to contact me.

<b>11/02/2026 - Email from HBC</b>	Request for previous statements of common ground
<b>12/02/2026 - Email from WHBC</b>	Invitation to comment on the regulation 18 Local plan
<b>24/02/2026 - Email from HBC</b>	Request for details surrounding Potters Bar Site allocations
<b>25/02/2026 - Email from WHBC</b>	Response to previous email regarding site allocations
<b>25/02/2026 - Email from HBC</b>	Confirmation of email chain and meeting dates
<b>09/03/2026 - Email from HBC</b>	Request to discuss Bowmans Cross
<b>20/03/2026 - Email from HBC</b>	Request for a day extension to comment on the Welhat Reg 18 Local Plan
<b>20/03/2026 - Email from WHBC</b>	Confirmation that this is considered acceptable and IDP discussions
<b>20/03/2026 - Email from HBC</b>	Confirmation of AECOM consultants
<b>26/03/2026 - Email from HBC</b>	Confirmation when the reg 18 response will be sent
<b>26/03/2026 - Email from WHBC</b>	Confirmation of acceptance

**27/03/2026 - Email from HBC**

Officer response to the WelHat regulation 18 consultation.

27\_03\_2026 – Officer response from Hertsmere Borough Council to Welwyn Hatfield Borough Council Regulation 18 Consultation.

### **Welwyn Hatfield Local Plan – Our Local Plan Regulation 18 Consultation**

I am writing in relation to the emerging Welwyn Hatfield Local Plan, which is presently open to public consultation under the Town and Country Planning Regulations 2012 Regulation 18. In parallel, this communication is also made as part of the on-going engagement between Hertsmere Borough Council (the Council) and Welwyn Hatfield Borough Council in respect of discharging the legal requirements set out under the Duty to Co-operate.

For clarification, the comments expressed in this communication represent the professional technical opinion of the Council's Planning Officers. These comments are accurately reflective of the emerging Hertsmere Local Plan. The comments are made to provide support to the emerging Welwyn Hatfield Local Plan and ensure that progress continues to be made in securing an agreed position between the two authorities on their shared plan-making objectives. It is anticipated that process could allow both authorities to provide mutual support for one another for their planmaking responsibilities through the Duty to Co-Operate. Subject to agreement between the two authorities this could result in signed statements of common ground that offer mutual support for their parallel emerging local plans. The Council would welcome Welwyn Hatfield's confirmation in respect of this stated objective.

### **The Response:**

The content set out under the Welwyn Hatfield Local Plan – Our Local Plan Regulation 18 Consultation is noted. Broad support is offered to Welwyn Hatfield for their emerging local plan.

It is noted that the emerging local plan does not seek to meet and deliver Welwyn Hatfield's growth needs in full during the plan period. For clarification, the emerging Hertsmere Local Plan is seeking to at least meet Hertsmere's growth needs in full. However, this does not equate to Hertsmere having sufficient capacity to accommodate unmet housing or employment floorspace need from elsewhere. It is noted that Hertsmere's on-going engagement under the Duty to CoOperate demonstrate that none of its neighbouring plan-making partners have capacity to accommodate potential unmet need (from elsewhere).

The emerging Welwyn Hatfield Local Plan's approach to meeting local needs; through its spatial strategy, planning policies and site allocations; is noted. In respect of the site allocations, Hertsmere Borough Council Officers have no comments to

make on the majority being proposed. However, comments are made in relation to the following –

- HEL-5 Leggatts Park
- HEL-7 Land at Swanley Bar
- HEL-49 Land South of Hawkshead Road

It is highlighted that these possible site allocations are located on the southernmost extent of Welwyn Hatfield's administrative area. As such, should they come forward as part of future planned-for growth they will functionally form part of Potters Bar; to which they are contiguous with to their immediate south. The emerging Hertsmere Local Plan identifies Potters Bar as a Category II Settlement Large Town, which is being proposed as a focus for urban regeneration driven growth during the plan period.

It is suggested that the emerging Welwyn Hatfield Local Plan must be cognisant and reflective of the emerging Hertsmere Local Plan in respect of these three potential site allocations. This is because they will, when they are delivered, effectively become part of Potters Bar, which remains in Hertsmere. It is considered reasonable that given their geographic location that plan-making and future decision-taking be consistent with that being pursued in Hertsmere.

In respect of the three prospective site allocations, the scale and intensity of growth envisaged is broadly in alignment with that being planned-for on similar urban extension sites being identified in the emerging Hertsmere Local Plan. It is suggested that the continuing housing crisis, and consequential up-lift (in supply and delivery) demanded national policy requires that all new site allocations firmly look to the future and consider higher optimised densities. It is noted that the density assumptions made by the emerging Welwyn Hatfield Local Plan are broadly in alignment with those identified by the emerging Hertsmere Local Plan. This is supported, but it is suggested that they should be considered as a minimum starting point and that subject to the application of design-led proposals higher intensities should be embraced (by future decision-takers).

The emerging Hertsmere Local Plan is seeking to secure high-quality designed, successful and sustainable place-making. Optimised supply and delivery forms part of that objective. The emerging Hertsmere Plan is seeking to apply design-led approaches to secure quality. The application of masterplanning principles, for all urban extensions, could become a policy requirement. Welwyn Hatfield are encouraged to clearly reflect the above in their own requirements for these three possible site allocations.

In order to secure successful and sustainable place-making, Hertsmere's plan-making process is seeking to put in place measures that ensure that future growth is supported by appropriate and proportionate infrastructure investment that deliver improvements to networks in a timely manner. This work is being undertaken through the emerging Hertsmere Local Plan's technical evidence base and infrastructure planning processes. There will be opportunities for Welwyn Hatfield to engage in those processes. In respect of the three potential site allocations located

to the immediate north of Potters Bar, it is suggested that input to relevant technical evidence, for example in respect of travel planning and the water cycle study, is undertaken. The need for consistency is underscored. Subject to this path being taken it is anticipated that both planmaking authorities could formally state their mutual support for their plans through signed statements of common ground; specifically in terms of progressing through the latter regulatory stages of the plan-making process.

In terms of infrastructure planning, Hertsmere Borough Council is preparing a new Infrastructure Delivery Plan. It is anticipated that this will form part of the Local Plan Submission version, which will be available for public consultation during Summer 2026. Welwyn Hatfield are encouraged to actively participate in Hertsmere's infrastructure plan-making process. Ideally, the three potential site allocations should explicitly speak to the Hertsmere Infrastructure Delivery Plan, as following delivery these new places will functionally form part of Potters Bar, and will be reliant upon its networks for support. Future site allocations should require those proposing development to demonstrate active engagement with the Hertsmere Infrastructure Delivery Plan to ensure that appropriate and proportionate investment is made in networks that support these sites. In parallel, other financial contributions secured from these sites must also fully consider and where necessary direct investment towards improvements to Potters Bar's networks. Given the geographic location of the three sites and how they function (upon delivery) this is considered a reasonable approach that is necessary to secure successful and sustainable place-making. Hertsmere Officers welcome engagement on this matter as part of the on-going Duty to Co-Operate.

### **Bowman's Cross:**

The emerging Hertsmere Local Plan identifies a possible opportunity for a new settlement on land to the north of the M25, to the west of the A1 (M), and to the east of London Colney. This site is known as Bowman's Cross.

This opportunity is being considered as an addition to the emerging Local Plan's spatial strategy – in that it anticipates sustaining housing supply and delivery beyond the emerging Local Plan period. For clarification, should it come forward as an allocation in the Hertsmere Local Plan it is considered likely that it will begin to deliver growth during years 11 – 15 at the earliest. This being due to its nature as a new settlement. Nevertheless, in the long term it could provide a meaningful and sustained contribution towards the supply and delivery of growth – dependent upon its eventual scale that could even continue beyond the next plan period. It is noted that Hertsmere Borough Council has already referenced this possibility through discussions under the Duty to Co-Operate, which have included Welwyn Hatfield Borough Council.

Should the Council pursue this opportunity, it is suggested that it will be expedient for neighbouring authorities to engage in the plan-making and decision-taking processes that could result. As a neighbour to this opportunity, Welwyn Hatfield Borough Council is encouraged to engage in forthcoming discussions.

I hope that these Officer comments are helpful and provide an appropriate degree of support at this point in Welwyn Hatfield's plan-making. It is anticipated that the on-going Duty to Co-Operate between the two Borough Councils could yield mutual and beneficial support for both sets of new local plans. Ideally this should result in positive and supportive statements of common ground between the two partners.