

Draft Local Plan Proposed Submission Document

Event Name	Draft Local Plan Proposed Submission Document
Comment by	Save Symondshyde Group (Mr John Gardner)
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4

Do you consider the draft Local Plan is legally compliant? No

If no, is this because it is NOT: (see guidance notes for respondents)

- . Prepared in accordance with the Local Development Scheme
- . Prepared in accordance with the Statement of Community Involvement
- . Compliant with the Duty to Co-operate
- . Accompanied by a compliant Sustainability Appraisal

Please give details of why you consider the draft Local Plan is not legally compliant. Please be as precise as possible. (Attach supporting documents if necessary).

Please see our comments in SP24, relating to this

5

Do you consider the Local Plan is sound? No

If no, is this because it is NOT: (see guidance notes for respondents)

Please give details of why you consider the draft Local Plan is either sound or unsound. Please be as precise as possible. (Attach supporting documents if necessary).

Detailed statement :

1. Policy SP2 sets targets for growth during the Plan period 2013 – 2032 for employment, retail provision and housing. We consider that these targets are set unrealistically high, and that they will create infrastructure requirements that, together with the existing infrastructure deficit, cannot be met.

Housing growth

2. The Council have moved from a housing target of 6,800 dwellings in the Emerging Core Strategy (2012) to a target of 12,500 dwellings in the Local Plan Consultation Document (LPCD) 2015, now reduced to around 12,100 dwellings in the Draft Local Plan Proposed Submission (LPPS) 2016. This represents an average of 637 dwellings per annum over the 19 year period, in two phases of 4,445 (495 dpa) for the first 9 years and 7,650 (765 dpa) for the next 10 years. We consider this target to be both unjustified and unattainable.

3. The target represents an uplift of around 11% on the baseline demographic projection of 574 dpa. This projection (which is just that - a projection, not a forecast) is skewed due to, amongst other factors, the abnormally high level of completions achieved during the preceding period with the redevelopment of the Hatfield Airfield site. Nevertheless, as stated in paragraph 5.9 of the Plan, the housing target represents a significant step change, with an increase of around 55% in annual delivery rates relative to the historical rate of development in the borough between 2001 and 2015.

4. The housing target appears to be based on housing market signals that are questionable, and on an overly high employment growth target. The Planning Practice Guidance *Housing and economic development needs assessments* states:

“Plan makers should make an assessment of the likely change in job numbers based on past trends and/or economic forecasts as appropriate and also having regard to the growth of the working age population in the housing market area Where the supply of working age population that is economically active (labour force supply) is less than the projected job growth, this could result in unsustainable commuting patterns and could reduce the resilience of local businesses.”

This raises questions about where the workforce would come from if the employment growth target were to be realised.

5. The housebuilding industry is ill-equipped to increase substantially the rate of building everywhere, even if it wanted to. Labour shortages are the most significant problem, exacerbated by the boom and bust cycle in the industry that means a skilled workforce is too easily lost and can only be replaced slowly (annual growth in the industry rarely exceeds 10%). In any case, the industry is driven by financial considerations. It is naïve to claim that an increase in housing land supply will necessarily increase the rate of housebuilding, or conversely that the shortage of affordable housing is due to a lack of suitable housing land. House builders – particularly the volume house builders who dominate the market – will only build the number of dwellings in any locality that sustains the market price level.

6. It is stated in paragraph 10.2 of the Plan that the job density has increased significantly as the national economy has recovered, meaning that there are significantly more jobs than workers living in the borough. However, this does not take into account the likely economic repercussions of BREXIT, for example, in the short term at least, and the impact of Brexit on net in-migration. This demonstrates how volatile employment forecasts are, and how unreliable aspirational job growth is as a basis for justifying housing growth.

6. Paragraph 5.10 states that the housing target will positively support the potential for growth in the economy. In other words, the housing target has been set at an artificially high level in the expectation of providing enough workers to fill the number of jobs that the Council hopes to be able to attract. This illustrates the difference between ‘demand’ and ‘need’. Instead, the Council should be planning for a lower housing target, based on a demographic scenario rather than assumed employment growth.

Exceptional circumstances

7. Paragraph 5.6 states that the Council has taken account of the great importance attached to the permanence, extent and role of the Green Belt and the fundamental aim of preventing urban sprawl by keeping land permanently open, altering boundaries only in exceptional circumstances and ensuring that they endure beyond the plan period taking account of the need to promote sustainable development.

8. Paragraph 5.7 concludes that, having taken into account the supply of housing through completions, urban capacity, sites with planning permissions and a windfall allowance, and given that most land outside the towns and excluded villages lies within the Green Belt, it is necessary to meet the objectively assessed need for housing by allocating land in the Green Belt. This is given as the justification for the ‘exceptional circumstances’ necessary for Green Belt boundaries to be amended.

9. We dispute the claim that exceptional circumstances have been demonstrated to justify altering Green Belt boundaries to the extent proposed in this Plan. This is particularly so in the case of the proposed new village at Symondshyde.

10. NPPF paragraph 83 states that Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. NPPF paragraph 14 states that Local Plans should meet objectively assessed needs, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole, or specific policies indicate development should be restricted. Green Belt policy is identified as such a policy.

11. Recent Ministerial statements have sought to clarify the position. On 11 January 2016, Brandon Lewis MP, Minister of State for Housing and Planning, gave a written answer to a Parliamentary Question from Laurence Robertson MP (Tewkesbury), as follows:

Green Belt.

Question 21089: To ask the Secretary of State for Communities and Local Government what his policy is on the priority that should be given to maintaining Green Belt land in Local Plans in areas where there is unmet housing need.

Answer: Green Belt is protected by local authorities in line with national policy set out in the National Planning Policy Framework. The Framework states that permanence is an essential characteristic of Green Belt, and that a Green Belt boundary may be altered only in exceptional circumstances, using the Local Plan. Our supporting Guidance reminds local authorities that, in planning to meet their objectively assessed local housing needs, they must have due regard to national policies (including Green Belt policy) which indicate that development should be restricted and which may restrain the ability of an authority to meet all its needs. This applies even where there is no up-to-date Plan. It is for the Planning Inspector examining a revised Local Plan to determine whether it is based on sound evidence and in line with national policy.

12. On 7 June 2016, Mr Lewis wrote to MPs in the following terms:

"The Framework makes it clear that Green Belt boundaries should be adjusted only in exceptional circumstances, through the Local Plan process and with the support of local people. We have been repeatedly clear that demand for housing alone will not change Green Belt boundaries."

The question of what constitutes 'exceptional circumstances' in the case of Local Plan Reviews has been reviewed by the Courts. In the case of Solihull MBC v. Gallagher Estates Ltd and Lioncourt Homes, the Court of Appeal (17 December 2014) in effect supported the High Court judge (30 April 2014) who had said of the Local Plan Inspector:

"He performed an exercise of simply balancing the various current policy factors, and, using his planning judgement, concluding that it was unlikely that either of these two sites would, under current policies, likely to be found suitable for development. That, in his judgment, may now be so: but that falls very far short of the stringent test for exceptional circumstances that any revision of the Green Belt boundary must satisfy. There is nothing in this case that suggests that any of the assumptions upon which the Green Belt boundary was set has proved unfounded, nor has anything occurred since the Green Belt boundary was set that might justify the redefinition of the boundary." (paragraph 135).

13. Welwyn Hatfield Borough Council has demonstrably failed, in formulating this Draft Local Plan, to give due consideration to national planning policy, government statements and legal interpretations by the Courts on what constitutes exceptional circumstances. The Council has taken the view that it must meet the full objectively assessed need, even if it means meeting a significant proportion of that need by taking land out of the Green Belt. The requirement in NPPF paragraph 14 to take into account adverse impacts on the Green Belt has been ignored. Green Belt policy has not been allowed to exert any discernible level of restraint on development in this Plan; certainly not in the case of the Symondshyde new village proposal.

Housing land supply

14. We question whether the Council has taken all the elements of housing land supply fully into account in formulating this Plan. With regard to windfalls, the table at Appendix H of the Housing and Economic Land Availability Assessment (HELAA) shows a figure of only 27 (dwelling unit) future

windfalls from office to residential conversions, this despite the fact that office to residential change of use is now permitted development, and records show that many more than the 196 total windfalls shown have occurred over the past 3 years. Appendix I of the HELAA gives a notional windfall capacity of only 111 dwelling units from Green Belt sites that failed the Stage 1 and Stage 2 assessments or are too small for allocation, but have total notional dwelling capacity running into the thousands.

15. Other possible sources of increased urban land supply do not appear to have been explored to the fullest possible extent. These include vacancies, the possibility of the University releasing HMOs by building more on-site student accommodation, greater use of disused employment land, and more intensive (higher density) residential development.

Conclusion

16. For the above reasons, we consider that the employment land and housing targets should be re-considered, and that the necessary exceptional circumstances for taking land out of the Green Belt, with particular reference to the SDS6 Symondshyde site, have not been demonstrated.

6

Please set out the changes you consider necessary to make the draft Local Plan legally compliant or sound including revised wording of any policy or text. Be as precise as possible. (Please note that any non-compliance with the Duty to Co-operate cannot be rectified at the examination). You will need to say why the change will make the draft Local Plan legally compliant or sound. (Attach supporting documents if necessary).

Revise the targets. Please see detailed items and changes proposed above.

7

If your representation is seeking a change, do you consider it necessary to take part and speak at the examination hearing? Yes, I wish to take part in the examination hearing, if invited to do so by the Inspector

8

If you wish to take part in the examination hearing, please outline why you consider this to be necessary:

please see our response under SP24.

9

Do you wish to be notified of any of the following:

- . When the Welwyn Hatfield Local Plan has been submitted for independent examination.
- . When the Inspectors Report of the Welwyn Hatfield Local Plan is published.

We welcome your comments on our consultation - would you like to complete our short feedback form? (If submitting more than one comment, please complete the feedback form once only.) Yes

How did you hear about this consultation? . Word of mouth

We monitor the effectiveness of our consultation. Have you found this consultation helpful? No

What do you think we can do to improve our consultation?

openness, and a genuine commitment to public consultation