

# **Examination of the Welwyn Hatfield Local Plan 2013-32**

## **Inspector's Preliminary Questions**

Having now read the Local Plan (LP) and much of the supporting information that relates to development management, the Inspector is beginning to formulate the issues that may need to be discussed at the Hearing sessions and is coming to preliminary conclusions as to the Topic Specific Policies that it may not be easy to find sound, either because of the nature of the supporting information or the lack of it. To assist the process, he has now asked me to write to you about the Topic Specific Policies that you have put forward and he has set out some questions that arise from a reading of the representations thereon. He would value your brief comments on these.

### **Matter 4 – Topic Specific Policies**

#### **Issue**

In the context of the plan's overall vision and strategy are the Topic Specific Policies positively prepared, justified, effective and consistent with national planning policy and therefore a sound basis to manage development within the Borough during the plan period?

#### **SP 4 Transport and Travel**

1. What are the fundamental transport issues that need to be addressed over the plan period?
2. Does the plan provide a clear strategy to resolve the Borough's transport issues?
3. Should the Highway Authority's Transport Vision for 2050 be referred to in the plan?
4. Should the policy be promoting long term strategies that contain sustainable solutions to the transportation issues?
5. Should the Highway Authority's individual highway improvement schemes be referred to?
6. Will the Policy ensure that the future development and use of land in the Borough will contribute to the mitigation of and adaptation to climate change as required by Section 19(1a) of the Planning and Compulsory Purchase Act 2004 (P&CPA 2004)?
7. What specific measures does the plan contain to encourage the use of alternatives to the private car as a means of travel?
8. Is any dedicated cycling and/or walking infrastructure, capable of being used for strategic trips, being proposed?
9. If not why not?

## **SADM 2 Highway network and Safety**

10. Is the consideration of highway impact, in the context of its severity, consistent with national policy?
11. Does the east-west highway infrastructure across the Borough have sufficient capacity to support the amount of development being proposed to the west of the A1M?
12. If not, what evidence is there to demonstrate that this capacity issue could be resolved during the plan period?
13. Should there be a continuation of the policy that restricts development in the rural parts of the Borough when it is likely to necessitate a change in the character of rural roads?

## **SADM 3 Sustainable Travel for All**

14. Is the policy, as currently worded, likely to be effective in achieving changes towards the use of more sustainable modes of travel through new development?
15. Will the Policy ensure that the requirements of Section 19(1a) of the P&CPA 2004, with regard to the future development and use of land in the Borough contributing to the mitigation of and adaptation to climate change, will be met?

## **SP 5 Quantity and Location of Retail Development**

16. Why does the plan only seek to support additional retail floorspace sufficient to meet forecasted expenditure growth up to 2026 and not 2032/3?
17. In the context of the growth in on-line retailing, are the expenditure forecasts at individual centres and the anticipated resultant need for additional retail floorspace at them, appropriate.
18. To what extent are appropriate recommendations of the Portas Review being incorporated into retail policy?

## **SADM 4 Centres, Services and Facilities**

19. Why hasn't the Galleria shopping centre been included in the retail hierarchy at an appropriate point?
20. Why does the Galleria shopping centre not function as a Town Centre?
21. To what extent is the Galleria shopping centre in direct competition with Hatfield Town Centre?
22. Is the portrayal of the Galleria as a centre trading to the disadvantage of Hatfield Town Centre justified by the evidence base?

## **SADM 5 Development outside Designated Centres**

### **SADM 6 Shopfronts Advertisements and Signage**

23. Does the Policy controlling advertisements appropriately reflect the historic context of Welwyn Garden City?

### **SP 6 Community Services and Facilities**

24. Should there be a commitment to review the evidence base for sporting and other community facilities on a regular basis, such as on a five yearly cycle?

### **SADM 7 New and existing Community Services and Facilities**

25. Is the permanent loss of Panshanger airfield contrary to national policy, in particular Paragraphs 28, 74 and 70 of the National Planning Policy Framework (NPPF)?
26. What are the appropriate standards that should be met when providing new community services and should they be set out in policy / specifically defined in the supporting text?
27. How is "convenient to the communities they serve" to be measured when assessing whether proposed locations for new community facilities are appropriate? Should the measurement be set out in the policy or its supporting text?
28. What is a "realistic timescale" for clearly demonstrating that there is no longer a current demand for a community facility? Should the timescale be set out in the policy or its supporting text?

### **SADM 8 Cemetery Extension at South Way, Hatfield**

29. Has there been an objective assessment of the future need for burial places in Welwyn/Hatfield? What were its findings?
30. Were the potential sites for a new cemetery objectively compared?
31. Why was the site found to be the most suitable in environmental terms not chosen as the location to be proposed in the Local Plan?
32. Does an objective comparison of the options of extending the existing site or developing a new cemetery justify the chosen outcome?

### **SP 7 Type and Mix of Housing**

33. Given the evidence base on housing need, shouldn't more than 50% of overall housing provision be provided as affordable housing?
34. Does the Council's affordable housing delivery estimate marry with its objectively assessed need for affordable housing?

35. If not why doesn't it and what steps does the Council propose to take to ensure that sufficient housing is built and available to meet the needs of all households?
36. In that context are the Council's affordable housing targets justified?
37. Is the rural exceptions sites policy compatible with paragraph 86 of the National Planning Policy Framework in as far as it relates to Green Belt villages?
38. Are the housing mix policies too restrictive?
39. Does the plan sufficiently cater for the needs of older people, particularly in villages?
40. Does the plan adequately cater for the needs of younger households?
41. Has the plan made the correct assumptions concerning the proportion of both the young and the elderly population requiring communal housing and by default market and other affordable housing?
42. Should residential development proposals have to demonstrate how the mix of tenure, type and size of housing on a site has had regard to and will reflect the latest available evidence of housing need and market demand?
43. Should nationally derived dwelling space standards be included in the policy?
44. Is the requirement for gypsy and traveler accommodation founded on a robust evidence base that is fit for purpose?
45. What reliance should be placed on the estimate that only 61 new pitches are required?
46. Does the policy address the immediate rather than the long term need for gypsy and traveller pitches?
47. Should tables 4 and 5 be complementary?

## **SADM 9 Loss of residential**

### **SP 8 The Local Economy**

48. Should the plan's policies take a more holistic and sub-regional approach to the attraction and location of inward investment?
49. Should the actions listed be expanded to include working with other LPAs on a joint economic and transportation strategy and providing good quality housing?
50. In the context of the unbalanced positive commuting flows and the difficulties encountered in providing sufficient land to meet the Borough's objectively assessed housing need, are the restrictions preventing changes of use from B class uses to residential fully justified?
51. Should the supply of land available for industrial, office and warehousing uses be protected from changes of use to other purposes in all employment areas?

### **SADM 10 Employment development**

52. Is it appropriate to restrict the use of sites EA9 and EA10 and the undeveloped parts of EA6 to Class B uses only?
53. Is site EA10 appropriately defined?
54. Is a three year period during which Class B employment sites should be marketed, before they can be considered for other uses, excessive?

### **SP 9 Place Making and High Quality Design**

55. Should the policy include a section that seeks to promote healthy and active lifestyles through good design in new development?
56. Should the policy include a clause that requires proposed taller buildings to be assessed in the context of their impact on the area's heritage assets?
57. Should specific design visions be promoted for each of the large new neighbourhoods proposed in the plan?

### **SADM 11 Amenity and Layout**

58. Should development within Welwyn Garden City be required to reflect the symmetry, balance and streetscape of the existing built development?
59. Is it essential for all dwellings to be dual aspect?

### **SADM 12 Parking, Servicing and Refuse**

60. Does the plan adequately address the management of car parking demand?

### **SP10 Sustainable design and construction**

61. Is the policy sufficiently robust to ensure that all new development will be environmentally sustainable?
62. Will the Policy ensure that the future development and use of land in the Borough will contribute to the mitigation of and adaptation to climate change as required by Section 19(1a) of the P&CPA 2004?
63. Should the BREEM and Sustainable Homes ratings be quoted in this policy or its supporting text and should development be required to meet the higher level targets?
64. Should this policy seek to encourage the use of renewable energy?
65. Should the policy require the production of site waste management plans?

### **SADM 13 Sustainability requirements**

66. Will the Policy ensure that the requirements of Section 19(1a) of the P&CPA 2004, with regard to the future development and use of land in the Borough contributing to the mitigation of and adaptation to climate change, will be met?
67. Are all anticipated developments likely to be able to meet the sustainability requirements without becoming unviable?
68. Should this policy require the achievement of the higher level Sustainable Homes targets?
69. Should the BREEM Excellent rating be required at all new developments?

### **SADM 14 Flood Risk and Surface Water Management**

70. Should the plan require all proposed development to provide sustainable drainage systems?
71. Should this policy make specific reference to the sequential approach to flood risk management?
72. Should the policy require all proposed development to demonstrate, through a Flood Risk Assessment, that it will not contribute to flooding harm at locations downstream of the development?
73. Will the Policy ensure that the future development and use of land in the Borough will contribute to the mitigation of and adaptation to climate change as required by Section 19(1a) of the P&CPA 2004?

### **SP 11 Protection and enhancement of critical environmental assets**

74. Should the plan make reference to locally listed buildings?
75. Without a mechanism requiring sites with the potential to contain heritage assets to be adequately assessed, how can the policy be fully effective at conserving the historic environment?
76. Would the plan be more effective if there was a specific strategic policy that sought to conserve and enhance the historic environment?
77. Is the interpretation of green infrastructure in the plan consistent with the definition in National Planning Policy Guidance (NPPG)?
78. Does the policy adequately define and promote the fundamental role of green infrastructure in managing sustainability?

79. Does the policy ensure that that new development will contribute towards achieving net gains to biodiversity?
80. Does this section of the plan sufficiently recognize the ecological importance of the River Mimram and its environment?
81. Is the Water Framework Directive clearly reflected in this policy?
82. Should the River Basin Management Plans be referred to?
83. Does the wording of the second paragraph adequately reflect the intention of NPPF, at paragraph 112, to take into account the economic and other benefits of the best and most versatile agricultural land?
84. Would section ii. B. of Policy SADM 14 be more effective if incorporated into Policy SP 11 or a sub policy of it?

### **SP 12 Strategic Green Infrastructure**

85. Does the policy adequately define and promote the fundamental role of green infrastructure in maximising sustainable development?
86. Is the policy consistent with the definition and understanding of green infrastructure as set out in NPPG?
87. Should there be better referencing of the inter-authority network of green infrastructure?
88. Should the policy explain and promote the multi-functional uses and benefits of green infrastructure?
89. Does the policy give sufficient emphasis to the role that cycling can play in sustainable movement?
90. Has sufficient attention been paid to the value of green infrastructure to cycling and its overall health benefits?
91. Should new development be required to meet the standards for the provision of public open space set out in the Planning Obligations Supplementary Planning Document?
92. Should River Basin Management Plans guidance and the Water Framework Directive be referenced in this policy?
93. Is too much development being proposed in the Welwyn / Hatfield Green Corridor to maintain its existing natural assets, including its wildlife and to enable their enhancement to be achieved?
94. Is the proposed Green Corridor sufficiently wide to enable it to be environmentally viable as a strategic ecological route?

95. Has a holistic assessment of the cumulative effects of development on the ecological environment within the Green Corridor been undertaken?
96. If so what were its principle findings in that context and what mitigation and other actions does it propose?
97. Should the Ellenbrook Country Park be listed as a proposal and identified on the Key Diagram and the Proposals Map in a similar way to the other assets within or close to the Welwyn / Hatfield Green Corridor?

### **SADM 15 Heritage**

98. Why are Scheduled Monuments referred to as Historic Monuments?
99. Does the policy adequately reflect the national guidance in paragraph 134 of the NPPF?
100. Has sufficient attention been paid to NPPG and Historic England's Good Practice Guide 3, when considering the role of setting in the determination of the significance of a heritage asset?
101. Is it sufficiently clear as to what controls are to be put in place to regulate development in order to preserve and enhance the character and appearance of Welwyn Garden City, which is an internationally recognized site?
102. Why is there no reference to locally listed buildings?
103. How are locally listed buildings to be assessed?
104. Without a mechanism requiring sites with the potential to contain heritage assets to be adequately assessed, how can the policy be fully effective at conserving the historic environment?

### **SADM 16 Ecology and Landscape**

105. To achieve measurable net gains to biodiversity should applicants be encouraged to use expert ecological and landscape consultants when preparing material to support planning applications?
106. In achieving a net overall gain to biodiversity, shouldn't compensatory habitat replacement be on site as well as off-site?
107. Should the policy define measures by which the impact of development on habitats and biodiversity can be effectively measured and assessed?
108. Should the policy refer to the biodiversity impact calculator?
109. Should minimum dimensions for wildlife buffer strips be stipulated in the plan?



110. Are the requirements for protected species surveys and any required mitigation, adequately covered?
111. Should the policy require surveys and assessments, of the potential harm to protected species, where there is a reasonable likelihood of their presence and demonstration that their populations will not be diminished with or without appropriate mitigation?
112. Is it clear what part of the Cuffley Station Embankment Wildlife Area is protected?
113. Should the policy contain standards that have the objective of minimizing light pollution?
114. Has the harm resulting from potential impacts from contamination been adequately assessed and covered in policy?
115. Should better use be made of the Water Framework Directive and the River Basin Management Plans guidance in the policy?
116. Should the plan contain a tree strategy?
117. Should there be a reference to Landscape and Visual Impact Assessment within the policy?
118. Should Landscape Character Areas be referred to as environmental assets?

### **SADM 17 Urban Open Land**

119. What is the intended status of Urban Open Land?
120. Is the Urban Open Land at Howe Dell School appropriately defined?
121. Should land at Waterside (site HS7) be designated as Urban Open Land?
122. Should the land at City Park employment area be defined as Urban Open Land?

### **SADM 18 Environmental Pollution**

123. Does the policy give adequate attention to noise and air pollution?
124. Is noise pollution from users of Luton Airport adequately addressed?

### **SP 13 Infrastructure Delivery**

125. Does the Infrastructure Delivery Plan (IDP) adequately address the relevant issues and problems that will arise in implementing the quantum of development required by the plan, in other words is it fit for purpose?

126. Does the IDP provide sufficient clarity on the infrastructure required to support the proposed strategy?
127. Does the plan adequately address infrastructure delivery needs during the next five years?
128. Should there be a better timetable set out for the delivery of key projects that are critical for the implementation of proposed major developments?
129. Are the mechanisms by which infrastructure will be delivered and to time adequately addressed and set out?
130. Should the more fundamental infrastructure improvements required to support the new development be set out in the plan?
131. Is the road structure in the A414 corridor sufficiently adequate to accommodate the proposed development therein?
132. What improvements are proposed to accommodate the additional traffic that will be generated from the development proposed within or close to the corridor?
133. Are these sufficient?
134. Does the IDP adequately consider and provide for the future needs of walking and cycling in the Borough?
135. Should more emphasis be given to cycling and walking as a means of achieving a modal split for journeys that has less reliance on the private car?
136. Does the IDP adequately address the required improvements to water supply and waste water disposal required by the proposed strategy?
137. Should specific proposals for improvements to water supply and waste water disposal be included in the plan?

#### **SP 14 New Schools**

138. Does the plan make adequate provision for the increased educational capacity required to service the additional school population generated by the proposed development?