

**Examination of the Welwyn Hatfield  
Local Plan**

**Council's Statement for the  
Stage 3 Hearing on  
20<sup>th</sup> to 22<sup>nd</sup> February 2018**

**Session 10  
SP6 Community Services and Facilities and  
SADM6-8**



## **SP6 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?**

### ***Welwyn Hatfield Response***

- a) In response to the Draft Local Plan Proposed Submission 2016, a representation from Sport England seeks a commitment in Policy SP6 to an early review of the evidence base for sport (and other community facilities if applicable) following adoption of the plan.
- b) The Council have already proposed a minor modification to paragraph 8.28 as follows:
- “The Council will carry out an early review of the evidence base for the Planning Obligations SPD including sport, following adoption of the plan to ensure that the implementation of Policy SP6 continues to be supported by robust evidence.”**
- c) This modification will provide assurance that the evidence base for the Planning Obligations will be kept up to date, including sport and community facilities.
- d) The Council does not consider it necessary to specify in the Local Plan a timescale or cycle of review periods in order to make the plan sound. Sport England state that reviewing the evidence base every five years is provided as general advice, they do not seek this time cycle as a modification to the Plan. Therefore, the modification proposed is consistent with the change sought.
- e) Sport England recognise that Policy SP6 is justified by the Council’s evidence base relating to sport and would accord with paragraphs 70, 73 and 74 of the NPPF and Sport England’s planning objectives.

## **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?**

### ***Welwyn Hatfield Response***

- a) Policy SP18 of the Draft Local Plan Proposed Submission allocates land to the north east of Welwyn Garden City for development to accommodate approximately 650 homes. Most of the development is proposed to take place on the site of the former Panshanger Aerodrome, which closed in 2014. The site along with land to the west is the only area of safeguarded land in the adopted District Plan which it has been designated for since the adoption of the first Local Plan for Welwyn Hatfield in 1993.
- b) This designation meant that the land was safeguarded for the duration of the District Plan but could potentially be released for development following a review of the Plan should evidence show that it was required. In the light of evidence about the acute

need for housing in Welwyn Hatfield (circa 800 dwellings per annum), it is appropriate that site be released for development now.

- c) Paragraph 28 of the NPPF states that planning policies should support economic growth in rural areas. It sets out that to promote a strong rural economy, local plans should support business and enterprise in rural areas, support rural tourism and leisure developments which respect the character of the countryside, and promote the retention and development of local services and community facilities in villages. Whilst Panshanger aerodrome has the appearance of being part of the countryside, it is not located in a rural area. It is located on the edge of the urban area of Welwyn Garden City, the borough's main town, only a short walk from a range of facilities and services at Moors Walk neighbourhood centre, and less than two miles from Welwyn Garden City town centre. The delivery of the allocation will result in an increase in local services and facilities. Alongside new housing the site will deliver a new two form entry primary school plus a new community hall and a small convenience shop. The loss of the aerodrome is not therefore contrary to paragraph 28 of the NPPF.
- d) Paragraphs 70 and 74 of the NPPF relate to the promotion of healthy communities. Paragraph 70 states that to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments; guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.
- e) Whilst it was operational Panshanger Aerodrome provided recreational opportunities in the form of aviation sport. Furthermore, the site housed a café, although this was only available for use by members of the flying club. The loss of these facilities is not contrary to NPPF paragraph 70. The aerodrome closed in 2014 and since then has not provided any form of community benefit. The former operator has relocated its operations elsewhere within the region. In the absence of a current airfield use that delivers community benefit, it is considered that the proposed allocation of the site is a positive outcome in the context of paragraph 70 of the NPPF. Due to the scale of the proposal the development will deliver a new primary school together with a community hall and a small convenience shop. The proposal will therefore result in an improvement in other provision of local services and facilities compared to the former use. Nor, in light of its inactivity and the scale of housing need facing the Council, could the loss of the aerodrome be regarded as the unnecessary loss of a valued facility or service. The emphasis within paragraph 70 on valued facilities which respond to day to day needs of the community is clear from the second bullet point to paragraph 70. Policy SP18 requires that a masterplan be prepared to provide guidance on site specific matters. This will help ensure a sustainable development outcome which delivers an integrated approach to housing and community facilities and services, in compliance with the third and fourth bullet points of paragraph 70.
- f) Paragraph 74 relates to sports and recreational buildings and land. It states that they should not be built upon unless: an assessment has been undertaken which has

clearly shown the buildings or land to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss. Sport England consider that, before it was closed, Panshanger Aerodrome was of at least regional importance to air sports and have advised since their representation to the Emerging Core Strategy in 2012 that it would likely to be confirmed as a Significant Area for Sport (SASP). However the identification process has yet to be completed by the sport's governing body and no evidence has been provided to the Council in connection with its potential status as a SASP. On balance, the Council consider that the need for housing is of greater importance than the need to retain a former airfield facility as a potential SASP for future sport provision, so it is appropriate that the site be released for development now. As part of the policy allocating the site there is however a requirement for a masterplan to be produced which will allow for the opportunity for a realigned grass runway to be provided on Green Belt land to the north. Therefore in the event that there should be future demand for air sports in this location the opportunity for the continuance of the former use has been provided, subject to a viable and deliverable proposal being brought forward that is appropriate for a Green Belt location.

- g) Paragraph 33 of the NPPF sets out that when planning for ports, airports and airfields that are not subject to a separate national policy statement plans should take account of their growth and role in serving business, leisure, training and emergency service needs. National Policy Statements are produced by the government to set out national policy with respect to nationally significant infrastructure projects. There is a Ports National Policy Statement and a draft revised Airports National Policy Statement but there is not a statement relating to airfields. Paragraph 33 further sets out that plans should take account of the Government Framework for UK Aviation.
- h) The Government's Aviation Policy Framework (March 2013) notes the contribution that airfields can make to economic growth together with the fact that they form part of a larger network. It advises that where a planning application is made that is likely to have an impact on an existing aerodrome's operations, the economic benefit of the aerodrome and its value to the overall aerodrome network as well the economic benefits of the development will be considered as part of the application process. However, it acknowledges that these benefits will need to be balanced against all other considerations. Planning Practice Guidance (Paragraph: 012 Reference ID: 54-012-20150313) reiterates the Government's Aviation Policy Framework. It states that local planning authorities should have regard to the extent to which an aerodrome contributes to connectivity outside the authority's own boundaries, working together with other authorities and Local Enterprise Partnerships as required by the National Planning Policy Framework.
- i) In line with the NPPF, PPG and Government's Aviation Policy Framework the Council has given full consideration to the economic role of Panshanger Aerodrome. In July 2015 the Council wrote to the Hertfordshire Local Enterprise Partnership (LEP) to seek its views on the importance of the aerodrome to the local economy of both Welwyn Hatfield and Hertfordshire and whether it considered that there is a strategic need to retain the runway.

- j) In their response of October 2015 the LEP<sup>1</sup> advised that while the provision of a runway at Panshanger may provide some local economic benefit, it does not constitute a strategic piece of infrastructure which is required for Hertfordshire's economic growth. Further the LEP's Infrastructure and Growth Manager was not aware of any businesses that had raised the runway as an important facility and neither had the LEP received any correspondence from businesses in response to its closure.
- k) The LEP noted the previous use of the runway was predominantly for flight training and recreational purposes. The close proximity of Panshanger aerodrome to Luton and Stansted airports was considered together with the proximity and facilities available at other General Aviation Airfields, particularly at Elstree in Hertfordshire. Regard was also had to the difficulties (both in terms of site constraints and costs) there would be in upgrading the site to be suitable for business flights and its unsuitability for helicopter flights.
- l) The Council has assessed the viability of providing replacement airfield facilities at Panshanger. In 2015 the Council received an outline business plan from a third party for providing a replacement airfield on the site. This was passed on to the owner of the airfield site, Mariposa, in confidence (as it was commercially sensitive), with the permission of the third party. This business plan indicated that such a facility could be run profitably, and set out the amount of money that could be paid towards rent and initial capital investment from the site owner. Mariposa commissioned consultants to analyse the costs of providing the new facility. This was passed to the Council. The Council then commissioned an independent consultant, Gardiner and Theobald, to go through the report commissioned by Mariposa to see if it was over- or understating the costs of providing the facility. Taken together, these pieces of evidence demonstrate that, while a new facility could be run at a profit, the amount envisaged in the outline business plan to be paid towards rent and initial capital investment would be insufficient to cover the capital costs within a reasonable number of years. The Council is not currently aware of any proposal for replacement facilities which can be demonstrated to be commercially viable. As the Hertfordshire LEP do not consider the runway to be strategic piece of infrastructure, a bid for funding for a new runway or other airfield infrastructure costs would probably not score highly and is therefore unlikely to be successful.
- m) Having had full regard to relevant considerations the Council considers that, on balance, the decision to allocate the site as set out in Policy SP18 is justified. As noted previously, the airfield has been closed since 2014. During that time the former operator of the airfield has successfully relocated its operations. Policy SP18 requires that a masterplan is prepared for the site to provide guidance on site specific matters. As set out in the policy, the masterplan will allow the opportunity for a realigned grass runway on land to the north of the Green Belt boundary. The development would result in the loss of the current airfield, however the opportunity would still exist for a new grass runway a short distance to the north.
- n) Since submission of the Local Plan the Council has been advised that there is insufficient space within Mariposa's landholdings to deliver 650 homes and a new

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<sup>1</sup> Website link to Panshanger Airfield Hertfordshire LEP letter:  
<http://welhat.gov.uk/CHttpHandler.ashx?id=11450&p=0>

runway which is compliant with the Civil Aviation Authority's regulatory parameters for aerodrome standards set out in their document CAP 168 Licensing of Aerodromes<sup>2</sup>. Consequently the delivery of the runway would require land to be acquired from multiple third parties (Mariposa Investments Ltd plus other third party landowners). The Council's position is that it is for interested parties to come forward with a proposal for a new grass runway. These parties would need have regard to a full range of deliverability considerations including meeting realistic expectations of relevant landowners when seeking to acquire their land.

**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?**

**Welwyn Hatfield Response**

- a) Paragraph 8.32 of the plan specify the standards for the provision of community services and facilities are mostly contained in the Council's evidence base, which will be updated from time to time. It is also stipulated that there are instances where only national standards or no standards apply.
- b) Paragraph 4.4 of the Council's Draft Infrastructure Delivery Plan (INF/20) clarifies that where standards for the provision of infrastructure have been set locally these have been used to model future infrastructure requirements. Where standards do not exist the Council has used information provided by infrastructure providers to determine future provision.
- c) Sources of evidence and references to various standards are set out in the following documents:
  - i. **Draft IDP 2017 ((INF/20)**: School size standards (page 63), Healthcare provision (page 86), Green Infrastructure (page 108).
  - ii. **Planning Obligations SPD (WH/8)**: Allotments (page 17), Play Facilities (page 20), Outdoor Sports Facilities (page 22), Indoor Sports Facilities (page 25) and Community Facilities (page 26).
  - iii. **Open Space, Outdoor Sport and Recreation Study 2009 (OSC/2)**: Green Space (page 50), Provision for children and teenagers (page 51), Outdoor Sports Facilities (page 52).
  - iv. **Sports Facility Study 2011 (OSC/3)**: Allotments (page 48), Amenity Green Space (page 49), Sports Halls (page 172), Swimming pools (page 172), Health and Fitness Centres (page 172), Indoors Bowls Centres (page 172), AGPs (page 172).
- d) The Council do not consider it necessary to specify standards within the policy or supporting text as these are likely to evolve or change over the life time of the Plan and are formulated by service providers or other national bodies. The policy clearly states in paragraph 8.32 that standards for provision of community services are

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<sup>2</sup> CAP 168; Licencing of Aerodromes, March 2014:  
<http://publicapps.caa.co.uk/modalapplication.aspx?appid=11&mode=detail&id=6114>

contained within the evidence base, which will be updated from time to time. It is considered that setting out standards in the Plan would result in it being less effective in delivering the community facilities that are needed over the plan period.

**27 How is “convenient to the communities they serve” to be measured when assessing whether proposed locations new community facilities are appropriate? Should the measurement be set out in the policy or its supporting text?**

**Welwyn Hatfield Response**

- a) The Council does not consider it appropriate to specify prescribed distances by which to measure what is “convenient”. Instead the Policy takes a pragmatic approach, seeking to ensure that “convenient to the communities they serve” is interpreted within the context of the type and size of community facility and service proposed and the relative size and location of the community concerned. Convenient could mean – within easy reach, is well placed or situated, within walking distance or within an accessible location by public transport.
- b) Such an approach recognises that the way in which community facilities and services are provided, which may change over time. Neighbourhood or more centralised services may be the most effective way of providing a service or facility where the scale and nature of the facility services a wider catchment population, being within walking distance may not always be achievable for the community it serves. Provided in these circumstances, the location is accessible by a range of transport modes, this could still be considered “convenient”.

**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?**

**Welwyn Hatfield Response**

- c) Paragraph 8.33 of the Plan explains that community facilities are considered to be an important part of the Council’s vision for maintaining sustainable communities and the policy ensures that such uses can only be lost if they are no longer needed and cannot be satisfactorily replaced. This is because losses of community facilities may lead to deficiencies, which are then difficult to address in an area such as Welwyn Hatfield, which has high land values and strong development pressures.
- d) This policy approach, in SADM 7, accords with the objective of achieving sustainable development consistent with paragraphs 7, 17, 28, 70 (planning positively for the provision of community facilities), and 157 (identifying where it may be necessary to limit freedom to change the use of buildings) of the NPPF.
- e) The overarching priority is to ensure that as far as possible, existing community facilities (and services) are retained and wherever possible enhanced. However, the Council recognises that service requirements and delivery can change over time and the policy includes flexibility so that if a particular type of facility is no longer in demand, it can be replaced by another.

- f) Where a proposal would result in the loss of a facility without replacement, applicants will need to demonstrate that there is no (current<sup>3</sup>) demand for such a facility, or any realistic prospect of demand for the facility arising within a reasonable timescale. As stated in paragraph 8.33 of the Plan, the length of that timescale, i.e. relating to the prospect of demand for the facility arising, may depend on the type of facility, but generally, a minimum of three years would apply.
- g) This is considered to be a reasonable timescale, which will prevent short-term vacancies being cited as evidence to justify the loss of a community facility, and will ensure that when assessing demand, the need for facilities arising from existing communities and from a growing population within the borough throughout the Plan period, are properly taken into account in development proposals and decision making.
- h) It is not considered necessary to state the timescale in the policy in order to make the Plan sound. However, the Council recognises that a small number of modifications would, taken together, improve the Policy, i.e.
- The first three paragraphs to be numbered i), ii), iii).
  - The existing sub-paragraphs to be renumbered from i., ii, and iii, to a), b) and c).
  - The last sentence of c) to form a new standalone paragraph beneath c).
  - Rewording of iii), a) and c) as follows to provide greater clarity:

“iii) Planning permission will only be granted for proposals involving the loss or change of use of community ~~services and~~ facilities ~~in the following circumstances~~ **where:**

- a) It can be clearly demonstrated that there is no ~~longer a~~ current demand for such a facility or for an alternative recreational, leisure or community use, or any ~~realistic~~ **realistic** prospect of ~~such~~ **such** a demand arising **for such a facility** within a **realistic reasonable** timescale; or
- b) .... (unchanged); or
- c) The ~~new development~~ **proposal** consists of ... local community.

Demand should be assessed according to the nature of the existing facility in question.

- i) A modification is also proposed to add a sentence at the end paragraph 8.33 of the supporting text, as follows:

**Evidence of short-term vacancies will generally not justify the loss of a community facility and when assessing demand, the need for facilities arising from existing communities and from a growing population within the borough throughout the Plan period, should be properly taken into account.**

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<sup>3</sup> Modification proposed

## **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?**

#### ***Welwyn Hatfield Response***

- a) The Infrastructure Delivery Plan (IDP) (INF/20) at paragraphs 11.46 to 11.49 gives details of the capacity available in existing cemeteries within the borough, as at 2014. This information is taken from a report compiled by the Council's Environment Services team, who have overall responsibility for maintaining the borough's municipal cemeteries.
- b) The only fully operational cemetery in the borough is the Welwyn Hatfield Lawn Cemetery at South Way, Hatfield, which came into use in 1984. The figures and calculations in the IDP at 11.46 to 11.50 show that in 2014 capacity remained within the existing cemetery for a further 16 or 17 years of burials. For new capacity to be available in 2030 or 2031, the Council's Environment Services team estimate that the process of land acquisition should start in 2022/23. This is relatively soon within the new Local Plan period, therefore the Council considers that a suitable site allocation should be made within the Plan.
- c) The Council is looking to make provision for burials for the next 100 years, or 83 years from when the remaining capacity at The Lawn runs out. On this basis it is estimated that a site of around 10ha is required.

### **30) Were the potential sites for a new cemetery objectively compared?**

#### ***Welwyn Hatfield Response***

- a) Yes. A study was commissioned by the Council in 2014 from consultants Cemetery Development Services, to produce recommendations on the best site to deliver new cemetery space. The study (WH/11) started with a desktop survey of parcels of land within Welwyn Hatfield to establish a range of potential sites of suitable size to accommodate the required cemetery space. A 'long list' of 25 possible sites was then evaluated in the document against various suitability criteria.
- b) Numerical scoring criteria were used to provide a basis for comparison of the different sites. These criteria are set out in a table at Section 5.0 of document WH/11. The three highest-scoring sites were those with study references HAT 01, HAT 06 and POT 03. The first two of these were included in the Local Plan Consultation document (2015) (LPD/5) as sites CEM01 and CEM02 respectively, to seek people's views on them. POT 03 was discounted at this stage, as it included land proposed to be allocated for housing (now HS24). Subsequently, site HAT 06 (CEM02) was discounted, following a letter from the landowner stating that they would not make the site available for cemetery use.

**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?**

***Welwyn Hatfield Response***

- a) This is not the case. The cemetery site (HAT01 or CEM01) proposed in the Local Plan was selected as the most suitable environmentally, taking into account a range of factors. Although this site sits in an Environment Agency groundwater Source Protection Zone (SPZ) level 3, this is at the lower end of the SPZ risk table and the negative scoring for that factor is outweighed by a combination of other positive factors. The site has been assessed in the Sustainability Appraisal (page 82 Annex 1, Policy SADM 8) and in the Habitats Regulations Assessment Report (SADM 8) and no likely significant adverse effects have been identified.

**32) Does an objective comparison of the options of extending the existing site or developing a new cemetery justify the chosen outcome?**

***Welwyn Hatfield Response***

- a) Yes. See Section 6.0 of document WH/11.