



Strategic Planning & Research Unit

For and on behalf of  
**Bayard Developments Ltd**

Welwyn Hatfield Local Plan 2013-2032  
Response to Inspectors Questions – Stage 4

Prepared by

**Strategic Planning Research Unit  
DLP Planning Limited**

May 2018



Strategic Planning & Research Unit

Welwyn Hatfield Local Plan  
Response to Inspectors Questions – Stage 4  
On behalf of Bayard Developments Ltd

Prepared by:

Roland Bolton  
MRTPI Senior Director

Approved by:

Neil Osborn BA(Hons)  
MRTPI  
Senior Director

**Date: May 2018**

### **Strategic Planning & Research Unit**

4 Abbey Court  
Fraser Road  
Priory Business Park  
Bedford  
MK44 3WH

V1 Velocity Building  
Ground Floor  
Tenter Street  
Sheffield  
S1 4BY

Tel: 01234 832740  
Fax: 01234 831 266

Tel: 01142 289190  
Fax: 01142 721947

DLP Consulting Group disclaims any responsibility to the client and others in respect of matters outside the scope of this report. This report has been prepared with reasonable skill, care and diligence. This report is confidential to the client and DLP Planning Limited accepts no responsibility of whatsoever



Strategic Planning & Research Unit

nature to third parties to whom this report or any part thereof is made known. Any such party relies upon the report at their own risk.

## Contents

## Page

0.0	Executive Summary .....	4
	Matter 6- Settlement Policies.....	5
a)	SP 17 Broadwater Road West .....	5
b)	SP18 North East of Welwyn Garden City.....	7
c)	SP 22 North West Hatfield .....	9

**0.0 EXECUTIVE SUMMARY**

- 0.1 These representations have been prepared by SPRU of DLP Planning Ltd (DLP) on behalf of Bayard Developments Ltd in response to Welwyn Hatfield Borough Council's Local Plan Inspector's preliminary questions.
- 0.2 The response is made in the context of our previous representations and views that which we have expressed at the EiP to the effect that the Plan could be made sound through the identification of further deliverable residential sites, necessarily by suitable alterations to existing green belt boundaries. This arises from a consideration that whilst there may be some additional capacity within the existing built up areas to be derived from increased densities and the redevelopment of existing developed sites, this will not be sufficient to meet the size of the shortfall that has been identified through the Examination; moreover had such sites existed in significant quantities, the Council would have included them in the Plan in the first instance.
- 0.3 These comments build upon our Regulation 19 Submissions and highlight that with the passage of time there has been considerable delay in the forecast timescales for delivery on these major sites. It further emphasises that the increase in capacity of these larger sites is unlikely to speed up their delivery and that there remains a shortfall in the five year land supply the solution to which is not increasing the capacity on large sites but extending the site selection work (via the Green Belt Review currently being undertaken) to identify a greater range of small and medium sites that can be brought forward to deliver completions in the next five years.

## MATTER 6- SETTLEMENT POLICIES

### a) SP 17 Broadwater Road West

#### i. **Q22: Should the development principles include the provision of footpath and cycleway links within the development and connecting it to the Town Centre and the wider sustainable movement network?**

- 1.1 It is considered that a footpath and cycleway over the railway should be provided to the town centre in order to secure the sustainability of this allocation.
- 1.2 There has been a masterplan framework and design guidance for development of this site since 2008 as per the Broadwater Road West Supplementary Planning Document. The Draft plan states that this will still be used when considering planning applications for development on this site.
- 1.3 Outline application and listed building consent was approved in August 2017 (N6/2015/0294/PP & N6/2015/0293/LB). This is a complex application not least as it impacts on the listed building but is in outline form with matters reserved. The consent was not implemented due to a change in ownership in 2016 (2018 application DAS).
- 1.4 The outline planning permission is for part demolition, repair, restoration, extension and conversion of the former Shredded Wheat factory. It is to retain the original 1920's silos, production hall, grain store and boiler house which are listed to provide 2 Class C3 residential units, a Class C1 boutique/budget hotel, Class B1(a) offices, a Class A4 pub/bar, a Class D1 crèche and a Class D2 gym/dance/exercise studio.
- 1.5 It further proposes the erection of up to 850 Class C3 dwellings to potentially include up to 80 Class C2 (and/or C3 assisted living units), the associated highway works include the widening of footways and the provision of cycle ways to Broadwater Road and Bridge Road, works to Hyde Way, junction remodelling works and the erection of a new footbridge from Bridge Road over the electrified railway line. Our knowledge of the time it takes to secure agreements with Network Rail to secure agreements to undertake such work is that they can impose serious time delays on the implementation of development schemes.
- 1.6 A review of other schemes requiring works crossing railways suggest that from the first identification in a development plan the lead in time to the delivery of the first dwellings might be substantially longer than otherwise. For example it has ranged from between 16 years (new bridge in Wellingborough to provide access to urban extension) and 22 years (Cambridge North New Station).
- 1.7 Network Rail Property are required to obtain market value for assets (in this case the crossing is required to make the site sustainable and as such a ransom situation may be argued to exist);
- 1.8 The SPD for this site has been in place for 8 years and development has failed to be delivered, as such there must be a reasonable level of doubt as to the future timing of the delivery of housing on this site especially as housing is not the focus of the development.
- 1.9 Underperformance on the Broadwater Road West SPD Site could also in itself result in a lack of a five year land supply. This site has been identified for development since 2008 but now has permissions in place and Taylor Wimpey have built out the first 3 ha for 209 dwellings.

- 1.10 There was a screening and scoping opinion request granted under references 6/2017/2490/EIA and 6/2017/2491/EIA in respect of the former Shredded Wheat Factory submitted by Plutus Estates (WGC) Ltd and Metropolitan Housing Trust for detailed planning for the refurbishment and change of use of retained listed buildings and the redevelopment of the remainder of the site.
- 1.11 An application is pending under reference 6/2018/0171/MAJ for a mixed-use quarter comprising of up to 1,340 dwellings including 413 affordable dwellings and was submitted by Plutus Estates (WGC) and Metropolitan Housing. With this application, a phasing plan is provided which outlines that phase 1 is to deliver 374 dwellings and various other elements of the scheme. Phase 2 will then provide a further 455 dwellings and phase 3 will deliver 625 dwellings.
- 1.12 This is a complex site and the timing of the delivery of the residential element of the scheme is clearly linked to the delivery of whole of the scheme not least the repair and restoration of the listed buildings.
- 1.13 Therefore, while the site might be retained as an allocation it would be unsound to conclude that there is a reasonable prospect of delivery of housing completions on the site in the next five years to the extent to which the Council are anticipating.
- 1.14 This requirement emphasises the need for there to be supplementary and less complex sites allocated to ensure deliverability in the early part of the plan period and to provide a 5 year land supply from the date of adoption. We consider that such additional sites can be identified in a thorough Green Belt review.
- ii. Q23: Given the surplus of jobs in Welwyn Hatfield above the number of indigenous economically active people and the shortage of available land for housing, is it appropriate to encourage redevelopment for employment purposes or the retention/ relocation of employment infrastructure on the site.**
- 1.15 The Framework paragraph 7 defines sustainable development's economic role as contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation. It does not suggest there is a role in restricting economic growth to match projected labour supply.
- 1.16 It describes the role of the planning system in paragraph 8 as being:  
*“Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.”*
- 1.17 Paragraph 16 requires that development plans support the strategic development needs set out in Local Plans, including policies for housing and economic development. This suggests that economic needs as well as housing needs should be met and does not suggest that economic growth should be compromised due to potential labour shortages especially if these are caused by the lack of provision of housing.
- 1.18 Paragraph 17 sets out a set of core land-use planning principles that should underpin both plan-making and decision-taking. This includes the principle that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs and that every effort should be made objectively to identify and then meet the

housing, business and other development needs of an area, and respond positively to wider opportunities for growth.

1.19 The suggestion that employment allocations should be deallocated due to the lack of labour appears to be against this core principle. It highlights instead the lack of housing provision rather than the over allocation of employment.

**b) SP18 North East of Welwyn Garden City**

- iii. Q23: Has early and meaningful engagement and collaboration been undertaken with the local community, as required by paragraph 155 of the NPPF?*
- iv. Q24: Is the proposed green belt boundary to the north of this site one that is readily identifiable and capable of enduring permanently and consequently is in accordance with paragraph 83 of the NPPF?*
- v. Q25: Will there be adequate capacity in the offsite drainage network and treatment capacity to support this development in addition to other development proposals that would use the same systems?*
- vi. Q26: Should the masterplan make provision for segregated primary footpath and cycle network that links into such routes that provide access to other parts of the city?*
- vii. Q27: Has a comprehensive survey of the site's wildlife been carried out, identifying the presence of any protected species?*
- viii. Q28: If so have any protected species been identified and in that case what mitigation is put forward to ensure their continual survival and protection?*
- ix. Q29: Should the Master plan make provision for the development of health facilities to serve the new local community?*
- x. Q30: Should the Master plan require the provision of a small neighbourhood centre at which such facilities, along with other provision for the new community, could be located?*
- xi. Q31: What is the evidence base justifying a gypsy and travellers site in this area in addition to one within Birchall Garden Suburb? How robust is it?*
- xii. Q32: Is a gypsy and traveller site in this location supported by the Gypsy and traveller community?*
- xiii. Q33: To what extent does this proposal have ramifications for highway safety and the free flow of traffic on the wider highway network?*
- xiv. What mitigation measures have been put forward to ensure that this development does not undermine these principles?*
- xv. Q34: Does the policy effectively deliver the requirement of paragraph 143 of the NPPF to encourage the prior extraction of minerals?*
- xvi. Q35: Should the land at City park employment area be defined as open land?*

1.20 The context of these questions is that there is a need to find additional land for housing and that the promoters of the site have stated that they would not be able to provide for the reallocation of the runway required in the submitted policy.

1.21 Any such change would require consultation via the main modifications.

- 1.22 The extension of the site northwards as implied in the Inspector's questions will increase the capacity of the site but will require the re-commissioning of the environmental, landscape, flooding, highways, historic impact, and other reports.
- 1.23 The larger site will also need to be reassessed in a revised SA.
- 1.24 This site has been promoted by the owners Mariposa Investments since at least 2009. Most recently the allocation boundaries were revised in July 2016, following a Council meeting.
- 1.25 An outline application was submitted in 2018 under reference 6/2018/0873/OUTLINE for up to 650 residential units and various supporting infrastructure. The application is pending and was submitted by Homes England and Mariposa Investments Ltd.
- 1.26 There is no housebuilder as part of the team that are promoting the site. Due to the size of the site and the potential for it to be parcelled up this could also delay the delivery of the site in terms of the timing of future forecast completions compared to the Council's assessment.
- 1.27 In respect of the published trajectory there are forecast to be 130 dwellings to be completed by 2022/23. There will need to be at least 3 if not 4 housebuilders all constructing on this site to achieve this. This requires the completion of the local plan process which according to the optimistic Local Development Scheme was formally adopted in Autumn 2017. There will then need to be the determination of the outline application, the resolution of S106 agreements, the sale of the land to housebuilders then the consideration and granting of reserved matters applications, the signing off of conditions and then the provision of onsite infrastructure.
- 1.28 Therefore, while the site might be retained as an allocation it would be unsound to conclude that there is a reasonable prospect of delivery of housing completions on the site in the next five years.
- 1.29 The proposal is also still contingent of provision for a realigned grass runway to the north of the site which has been subject to submission and discussion by others at this Examination. Until the adoption of the Local Plan the site remains a designated Area of Special Restraint. Again, the landowner has carried out pre-application public consultation.
- 1.30 This is also likely to add to the time needed to secure delivery and so this site is unlikely to produce completed dwellings prior to 2023/24.
- 1.31 The Draft Infrastructure Delivery Plan appears to be unclear as to how to address the implications of the proposed housing growth (paragraphs 5.108 to 5.118). These will need to be clarified prior to the approval of any future consents.
- 1.32 Therefore, while the site might be retained as an allocation it would be unsound to conclude that there is a reasonable prospect of delivery of housing completions on the site in the next five years notwithstanding the current application.
- 1.33 The requirement for further consultation and master planning again emphasises the need for there to be smaller supplementary and less complex sites allocated to ensure deliverability in the early part of the plan period and to provide a 5 year land supply from the date of adoption. We consider that such additional sites can be identified in a thorough Green Belt review.

c) **SP 22 North West Hatfield**

- xvii. ***Q44: Should the Masterplanning proposals, when developing measures to secure the improvement of pedestrian links and cycle paths, provide for a new segregated crossing over the A1M with links to other parts of Hatfield, including its Town Centre?***
  - xviii. ***Q45: Should the Masterplan make provision for a segregated primary footpath and cycle network within the site that links into such routes that provide access to and from other parts of the town?***
  - xix. ***Q46: Will there be adequate capacity in the offsite drainage network and treatment capacity to support this development, in addition to that required to support other development proposals that would use the same systems?***
  - xx. ***Q47: Has a comprehensive survey of the site's wildlife been carried out, identifying the presence of any protected species?***
  - xxi. ***Q48: If so have any protected species been identified and in that case what mitigation is put forward to ensure their continual survival and protection?***
  - xxii. ***Q49: Does the northerly extent of this site provide for sufficiently wide green area that is free from development between Hatfield and Welwyn Garden City?***
  - xxiii. ***Q50: To what extent does this proposal in combination with other development proposals in the area have ramifications for highway safety and the free flow of the traffic on the wider highway network? What mitigation measures have been put forward to ensure that this development does not undermine these principles?***
  - xxiv. ***Q51: Is a gypsy and traveller site in this location supported by the Gypsy and traveller community?***
  - xxv. ***Q52: What exceptional circumstances exist for providing traveller's pitches in a prominent location within Green Belt on the north-western side of Coopers Green Lane?***
  - xxvi. ***Q53: Should the Masterplanning criteria require the protection and enhancement of the setting of the listed building (Old Cottage) within the site?***
  - xxvii. ***Q54: Does the policy effectively deliver the requirement of paragraph 143 of the NPPF to encourage the prior extraction of minerals?***
- 1.34 This site is being promoted by Gascoyne Cecil Estates (the landowner) and not a housebuilder. There has been no planning application made in relation to the development of the site as of May 2018.
- 1.35 The site remains within the Green Belt, although the landowner has now carried out pre-application public consultation and the Council is continuing to work with the landowner.
- 1.36 There is clearly a need for a comprehensive master plan that will deliver routes into the town and provide for the required levels of physical and social infrastructure.
- 1.37 It is unclear if a comprehensive ecological survey has been carried out.

- 1.38 Policy SP22 requires the preparation of master plan prior to the release of the site for development it also requires resolution of the wider strategic and local highway mitigation measures, including to address impacts on Coopers Green Lane, Green Lanes, the A1001 and locations at or around Junction 4 of the A1(M).
- 1.39 NPPF paragraph states that a Local Plan should  
*“set out policies to encourage the prior extraction of minerals, where practicable and environmentally feasible, if it is necessary for non-mineral development to take place”*
- 1.40 Policy SP22 requires that the developer demonstrate the extent of the mineral reserves that may be present and that the likelihood of prior extraction in an environmentally acceptable way has been fully considered. This requires as a minimum, an assessment of the depth and quality of mineral, together with an appraisal of the consequential viability for prior extraction without prejudicing the delivery of housing within the plan period.
- 1.41 Policy SP22 sets out a process by which the Council will allow development to proceed without mineral extraction. As such it is not in full accordance with the NPPF. To be an effective policy there needs to be a clearer statement that the minerals, if present, should be extracted prior to development unless it is environmentally not possible to do so or that it would not be practical.
- 1.42 This site together with SDS6 and 7 are all in the same ownership. This has potential to impact on the timing of the release of these sites as well as the release of individual parcels for development in these locations as it is possible for the owner to choose the timing of the release of the sites and parcels within them to secure the best market value. There is a strong possibility that these sites will not all come on stream at the same time so as to avoid being in direct competition with each other. This is because these sites are fo such a size that they will have substantial impact on the market in a way that would not be the case for smaller sites.
- 1.43 Therefore, while the site might be retained as an allocation it would be unsound to conclude that there is an unfettered prospect of delivery of housing completions on both sites in the next five years.
- 1.44 The requirement for master planning and mineral extraction emphasises the need for there to be supplementary and less complex sites allocated to ensure deliverability in the early part of the plan period and to provide a 5 year land supply from the date of adoption. We consider that such additional sites can be identified in a thorough Green Belt review.

BEDFORD - BRISTOL - CARDIFF - LEEDS - LONDON - MILTON KEYNES - NOTTINGHAM - RUGBY - SHEFFIELD

#### **BEDFORD**

4 Abbey Court  
Fraser Road  
Priory Business Park  
Bedford  
MK44 3WH

Tel: 01234 832 740  
Fax: 01234 831 266  
bedford@dlpconsultants.co.uk

#### **BRISTOL**

Broad Quay House (5th floor)  
Prince Street  
Bristol  
BS1 4DJ

Tel: 0117 905 8850  
bristol@dlpconsultants.co.uk

#### **CARDIFF**

Sophia House  
28 Cathedral Road  
Cardiff  
CF11 9LJ

Tel: 029 2064 6810  
cardiff@dlpconsultants.co.uk

#### **LEEDS**

Princes Exchange  
Princes Square  
Leeds  
LS1 4HY

Tel: 0113 280 5808  
leeds@dlpconsultants.co.uk

#### **LONDON**

The Green House  
41-42 Clerkenwell Green  
London  
EC1R 0DU

Tel: 020 3761 5390  
london@dlpconsultants.co.uk

#### **MILTON KEYNES**

Midsummer Court  
314 Midsummer Boulevard  
Milton Keynes  
MK9 2UB

Tel: 01908 440 015  
Fax: 01908 357 750  
miltonkeynes@dlpconsultants.co.uk

#### **NOTTINGHAM**

1 East Circus Street  
Nottingham  
NG1 5AF

Tel: 01158 966 620  
nottingham@dlpconsultants.co.uk

#### **RUGBY**

18 Regent Place  
Rugby  
Warwickshire  
CV21 2PN

Tel: 01788 562 233  
rugby.enquiries@dlpconsultants.co.uk

#### **SHEFFIELD / SPRU**

Ground Floor  
V1 Velocity Village  
Tenter Street  
Sheffield  
S1 4BY

Tel: 0114 228 9190  
Fax: 0114 272 1947  
sheffield@dlpconsultants.co.uk