

Examination of the Welwyn Hatfield Local Plan 2013-2032
Inspector: Melvyn Middleton BA(Econ) DipTP DipMgmt MRTPI
Programme Officer: Mrs Louise St John Howe
louise@poservices.co.uk Mobile: 07789 486419

6 September 2022

Mr. Christopher Dale,
Head of Planning,
Welwyn Hatfield Borough Council.

By email only

Dear Mr Dale

Welwyn-Hatfield Local Plan Examination

1. Thank you for your letter of 10 August 2022, responding primarily to my letter to you of 16 February 2022. In that letter, I set out the necessary requirements, as I then saw them, to enable me to find this plan sound through Main Modifications and the options that were before you. In particular, Paragraph 17 of that letter asked you to *"please confirm if you intend to provide a sound plan that includes a ten-year supply of identified housing sites and thereby proceed quickly to Main Modifications"*. Whilst not specifically confirming that point, on page 3 your letter welcomes the opportunity that I have given the Council to undertake an early review of the plan. You have also undertaken a reassessment of housing land supply and provided a housing trajectory that outlines a supply of dwellings over a ten-year period. I therefore presume that you now wish me to proceed to recommend Main Modifications to you that would enable the plan to be found sound and based on a ten-year post-adoption supply that is linked to a commitment to submit a review for examination within 5 years.

Ten-year supply

2. Your calculations currently suggest that there would be a requirement for at least 9,460 dwellings, to meet a ten-year post-adoption period beginning in April 2023. During that period, approaching 9,200 dwellings could be accommodated on sites that you have submitted to the Examination and which following examination, I have concluded could be made sound¹. You have also indicated

¹ These include undeveloped allocations in the submitted plan that have been found to be sound, undeveloped new sites submitted to the examination that have also been found to be sound, any other undeveloped commitments following the granting of planning permissions and the justified windfall allowance.

Examination of the Welwyn Hatfield Local Plan 2013-2032

that there are planning applications on several new sites and two appeals, and that these could contribute additional dwellings to the supply before adoption.

3. This Examination has now been progressing for over five years, during which time and along with a number of years previously, the Borough has significantly under-provided land for housing development. This is to an extent that there has already been a shortfall of over 1,800 dwellings (nearly 40% of the requirement) since the start of the revised plan period in 2016. In addition, there was under-delivery in some years immediately prior to 2016². This is reflected in an exceptionally high affordability ratio, that in real terms means that many local families are unable to find or afford a home of their own within the Borough. In such circumstances I consider it vital that an up-to-date plan, which helps to begin to address this problem, and which provides some certainty to communities, developers and decision makers, is put in place as soon as possible, through the adoption of a plan at an early date. Such a plan would at least facilitate the construction of more dwellings in the short term. In my view, this outcome is preferable to further delay.

4. The final supply, to meet the ten-year period, is not yet known but it could well be less than the requirement. Whilst this is not fully consistent with national policy, as expressed in the National Planning Policy Framework 2012 (Framework), I nevertheless consider that in the circumstances that we find ourselves, a pragmatic approach is called for. Although the plan should aim to provide at least ten years supply from adoption, if that is not possible, a plan that comes relatively close to this is to be preferred to no plan at all. Consequently, I find that an adopted plan that allocates sufficient land to provide more than 9.5 years of supply and which will enable the local building industry to begin to meet some of the pent-up housing needs of the Borough, in the short term, to be preferable to a situation where the Local Planning Authority does not have an up to date plan and where the severe housing shortage and affordability problems persist and without any prospect of early resolution.

Full Objectively Assessed Housing Need (FOAHN)

5. You refer to my conclusion on the reduced FOAHN in June 2021 and your consideration that it should be reduced further from the 760 dwellings per annum (d.p.a.) that I agreed at that time. You also refer me to the preliminary results of the 2021 Census to support your point of view. Firstly, I should point out that at this very late stage in an Examination, particularly one where the plan is not making full provision for its housing requirement, it is not appropriate to keep examining the housing need figure with suggested new inputs. To do so would require another consultation on a revised FOAHN with a full justification for it and I would then need to examine that through further hearings. By then it might be argued that other inputs have changed and that the FOAHN should be reviewed once again. This would significantly prolong the examination. Instead, the appropriate response is for the Council to adopt this plan in its

² The undersupply 2011-16 was estimated to be 1900. Table 1, Clarifying the OAN position for Welwyn-Hatfield, Turley, November 2020, (EX218)

Examination of the Welwyn Hatfield Local Plan 2013-2032

current form at an early date and to then carry out an early review, taking into account national policy and up to date inputs at that time.

6. However, the extent of housing need is not really the key issue. The more significant issue is whether the plan should provide for all of the identified housing need through its housing requirement and, if so, whether it needs to provide a supply of housing land for the full plan period or for the next 10 years. I have already concluded that the requirement and need figures should be the same because the strategy you have put forward in your plan is one of promoting employment growth, well beyond the needs of the Borough's existing residents and to an extent that it requires the release of land from the Green Belt to accommodate some of the proposed employment growth³. At the same time you have not identified sufficient land to meet the Borough's housing requirements. You have already accepted that a plan that increased further the large daily net inflow of commuters into the Borough would not be a sustainable outcome⁴. Furthermore, I have already concluded above that the plan could be found sound by providing for only a 10-year supply of housing, or something very close to it.

7. I note your point about the Sub National Population and Household Projections overestimating the figures for Welwyn Hatfield. However, this was rehearsed in 2021, when the FOAHN was considered for the third time. In commenting on the reasons for a lower household forecast than anticipated in 2018, your consultants then concluded that a considerably lower rate of migrational growth 2016-18, than that recorded historically, was at least partially influenced by the provision of less than half of the homes previously evidenced to be needed⁵. Given that housing provision since 2018 has continued to be substantially below the predicted requirement, it is not surprising that population forecasts have been revised downwards again.

8. However, whilst you claim that overall employment floorspace has declined, the most recent Nomis statistics suggest that the number of jobs in the Borough has continued to grow since 2016^{6,7} and that the net inflow of commuters may have done so also. Some of the additional workers will have found accommodation outside of Welwyn-Hatfield but there is no evidence to suggest that their needs have been planned for by neighbouring authorities. If not, then this could have exacerbated affordability issues in those authorities. I note the point about the closure of major stores in Welwyn Garden City but that is a phenomenon affecting many towns. However, if the FOAHN underpinning local plans was to be reviewed every time a major store closed in an authority whose

³ Paras 22-32 of Examination into Welwyn Hatfield Local Plan 2013-32, Inspector's preliminary conclusions and advice, October 2020 (EX212B).

⁴ Draft Main Modifications, Chapter 5, Justification for the proposed levels of growth.

⁵ The implications of the 2018-based SNPP and SNHP on the Welwyn Hatfield OAN, Turley, September 2020, (EX203A) !

⁶ Nomis, Labour Market Profile, Job Density Time Series.

⁷ The steep growth in the total number of jobs, within the Borough, between 2016 and 2017 that the Council maintained was a result of all employees, nation-wide, at a particular company being recorded as working in Welwyn-Hatfield, appears to have been corrected by 2020.

Examination of the Welwyn Hatfield Local Plan 2013-2032

local plan was being examined, then few local plans would ever get adopted. Furthermore, despite a probable reduction in retail jobs and overall employment floorspace during recent years, the overall number of jobs in the Borough appears to have grown. This is probably because of the reasons that I have discussed previously⁸.

9. In any event, under the transitional arrangements that are governing the examination of this plan, it is the policy in the 2012 Framework that is relevant. Any changes to national policy could only be considered if the transitional arrangements were also changed to accommodate new policy. Past experience suggests that that is far from certain. Additionally, the recently published government material in response to the Levelling Up, Housing and Communities Select Committee report on the Future of the Planning System in England indicates that the national target of 300,000 new homes/year is still current⁹. Furthermore, your own assessment confirms that when calculated using the Standard Method, which reflects more recent government policy than the 2012 Framework, the FOAHN would be 892dpa.¹⁰

Way forward

10. In December 2020 your predecessor wrote to me requesting that in accordance with Section 20(7C) of the Planning and Compulsory Purchase Act 2004, I recommend Main Modifications to the Council that would make the Local Plan sound and legally compliant. I have now received the remaining draft Main Modifications from yourself. Thank you. I will endeavour to promptly assess and modify these where necessary, with a view to sending you a comprehensive set of the Main Modifications that I consider would be necessary to make this plan sound, for consultation at an early date. Despite my involvement in their preparation, I will nevertheless take account of the responses to this consultation before reaching my final conclusions on the Main Modifications that I consider to be required to make the plan sound and set out my reasons for any further changes in my final report.

11. As well as consulting on Main Modifications, it will also be necessary to consult on your calculations that have led to the five- and ten-year requirements and supply. To that end, I would be grateful if you would check your data and calculations for accuracy and set out, in a comprehensive paper, what the five- and ten-year requirements and supply are, using different assumptions if you consider that to be appropriate. Additionally, would you describe how those figures have been arrived at, paying particular attention to the methods for the treatment of the shortfall that you have identified and including a full

⁸ Para 27 of Examination into Welwyn Hatfield Local Plan 2013-32, Inspector's preliminary conclusions and advice, October 2020 (EX212B).

⁹ <https://www.gov.uk/government/publications/future-of-the-planning-system-in-england-government-response-to-the-select-committee-report/government-response-to-the-levelling-up-housing-and-communities-select-committee-report-on-the-future-of-the-planning-system-in-england>, Para 35, June 2022.

¹⁰ Welwyn-Hatfield Borough Council, Report to Cabinet Planning and Parking Panel, Item 7, Inspector's letter and proposed modifications to the plan, July 2022, (EX289)

Examination of the Welwyn Hatfield Local Plan 2013-2032

justification for your conclusions, as well as the availability and deliverability of the sites that are included in the supply.

12. Would you also provide the Examination with a revised timetable for the undertaking of the remaining processes that need to be fulfilled before the plan can be adopted.

Yours Sincerely

M Middleton

Melvyn Middleton

Inspector