

Notes of Stage 3 Hearing session Thursday 22 February 2018

Relating to sections missing from webcast/difficult to hear. Questions are not replicated in full.

Urban Open Land (UOL)

Q120: Howe Dell School UOL

Mr Wood (HCC): The existing school wishes to remain on site. Considerable demand for special needs school places in Hertfordshire. The Council's proposed modification overcomes the HCC concern about the UOL designation at Howe Dell School. There will be a need to plan for additional school places to meet the growth envisaged and additional school sites will be needed elsewhere.

Inspector: You don't want the Policies Map changed then?

Mr Wood: No.

Q121: No discussion

Q122: City Park UOL

Mr Hodges (Indigo Planning for Legal & General): There is a tension between SADM10 and the UOL Policy. Site is designated as both an Employment Area and UOL. Evidence has to be provided when seeking to remove sites from B Use Class uses. Tension between policies. The criteria for selecting UOL has been carried forward from Policy OS1 in the 2005 District Plan. This area of UOL doesn't meet the seven criteria. On a recent appeal, the Council listed four criteria and the inspector agreed that part of my clients' site made very little contribution. Reserved matters were approved in 2017. Council has suggested that the site may not come forward (reason to retain UOL designation) but L&G recently purchased the site and are signalling their intent to implement the planning permission.

Mrs Tiley (WHBC): Not necessary to have to meet all criteria. Areas may only meet one of the UOL criteria to justify designation. Some of the land concerned is also a wildlife site. It's a former railway line and forms part of a green chain. No conflict arises with a UOL designation within an employment area – workers need access to open land. Acknowledge the appeal decision but consider the land still has some [UOL] value.

Inspector: Is there any public access?

Mrs Tiley: A public footpath crosses the site.

Inspector: How much land are we talking about? What will it be developed for? Why is the Plan unsound?

Mr Hodges: Around 2ha. Comprehensive development. Planning permission is for one unit for B2/B8. When implemented, the unit will be located on the UOL. Don't agree with the UOL assessment, neither did the inspector on appeal (very limited, almost de-minima). Accept it only has to meet 1 criteria.

Inspector: Haven't seen where the site is. Reconsider when we get to the site allocations hearing sessions. I will go and look at the site.

Q123: Noise and Air Pollution

Mr Fisher (Old Hatfield RA): Policy addresses impacts of a site only. Does not consider human welfare beyond a site and the wider impacts of development.

Mr Tudball (WHBC): Consider that this is fully considered in Policy.

Inspector: have already asked the Council to do more work around BGS. Where in this policy do you want to see a change? Policy states "...to ensure that pollution will not have an unacceptable impact on human health, general amenity" etc. Why is the plan unsound?

Mr Fisher: I read it as meaning a 'site'.

Inspector: Does the policy consider impact beyond the site?

Mrs Tiley: Yes, it does.

Q124: No discussion.

Adjourned at 1o/c. To resume at 2pm.

Infrastructure Delivery

Q125: Does the IDP address the quantum of development in the Plan?

Mr Kinsman (Welham Green promoters): IDP is very brief on education, especially as it has been used as a constraint. Clear need to bring forward secondary school provision. IDP doesn't provide that clarity. Timescales for example: 14FE by 2027 and 8FE by 2032.

Inspector: IDP is a supporting document (as the Council has correctly pointed out) and not for me to examine. You are not suggesting that Policy SP13 needs to refer to schools (Policy SP14 specifically addresses)?

Mr Chivers (WHBC): IDP involves working continuously with infrastructure providers. Accept it may not have been perfect at May 2017, but the Council continues to have genuine and ongoing engagement with infrastructure providers so that the IDP can continue to evolve.

Q126: No discussion

Q127: No discussion

Q128: Timetable for delivery of key projects

Mr Kinsman: Should be more clarity on this.

Q129: No discussion

Q130: No discussion

Q131: Capacity of the A414

Inspector: We had an earlier debate around the A414 at the joint BGS session.

Cllr P Zukowskyj: Wasn't at the earlier hearing session. There are major sites coming forward in other areas including St Albans district. Has the modelling accounted for this?

Inspector: Discussed previously. There are 2 to 3 pinch points but no "severe impact" identified.

Ms L Lucas (HCC): Yes, HCC has worked with St Albans but St Albans has not identified their [Local Plan] site yet. Modelling considers the impact on the wider network.

Inspector: Nothing Cllr Zukowskyj is saying changes previous debates?

Ms L Lucas: Correct.

Mr D Lumb (Holwell Court RA): Access to A414 is already difficult at any-time. The BGS proposal ... (Inspector stopped Mr Lumb – Matter previously discussed at earlier session). Support modal shift but there is no emphasis on new-build roads.

Inspector: Nothing has been identified to suggest a severe impact in highway terms.

Q134: IDP – walking and cycling needs

Mr Moulding: Looking for a statement similar to previous discussion/commitment.

Mr Chivers: Yes. On Tuesday we indicated that we would review the supporting text to SP4 and perhaps make an amendment. Could also review supporting text to SP13 for consistency?

Inspector: Keep as succinct as possible, as long as it's somewhere in the plan to hang on to.

Q135: Cycling/walking – modal split

Mr Moulding: Would like to see a map of networks – previously provided this to Cllr M Perkins and Rupert Thacker.

Q136: Water supply and waste water

Inspector: As far as I understand it – no concerns for supplying water for plan period – statutory duty to supply water – is that correct?

Mr J Rumble (HCC): HCC are coordinating a Water Study across Hertfordshire with the districts to consider long term water supply and waste treatment matters. In summary – Supply – Affinity Water consider the current position around growth to be manageable. Longer term – some challenges. Results of the Water Study will be fed directly back into Water Resource Management Plans, helping to coordinate growth in local plans and deliver the water supply needed. Challenges are more regional extending to Grafham Water where

there is surplus supply not being used. By working as a collective group of local authorities – able to coordinate growth.

Mr C Colloff (Thames Water: Waste Water – currently working on business plans. TW has a good understanding of the level of growth/work required in the region to 2036. WH is served by a number of STW, e.g. Mill Green and Maple Lodge – potential need for upgrades as and when. Capacity exists within the network to allow for growth initially and there is capacity for upgrades. Water Study. Opportunity through SuDS for example to create more capacity and local networks.

Inspector: So nothing fundamental to stop development to 2032?

Mr Fisher: Cost implications to developers. How has this been factored into viability considerations?

Mr Colloff: Asset Management Plans for STW. For TW network, developers will have to pay a set fee, e.g. average of around £250 per dwelling. New set costs to come into effect on 1 April 2018.

Mr Chivers: S106/CIL: Viability assessment of whole plan/policies and in terms of the generality of sites/provision, made an allowance within the S106/CIL figures. Strategic Sites – more detailed viability using actual costs. Developers also do their homework. All strategic site promoters have been engaged with TW. Believe that costs can be covered.

Mr Fisher: Significant concerns about sewerage.

Inspector: TW has just confirmed that there are no “show stoppers”. Matter of debate at planning application stage.

Mr Chivers: WHBC is working with TW and landowners – shouldn't get any nasty shocks.

Mr Colloff: And as of 1 April 2018, the costs to developers will be much clearer.

Q137: No discussion

Q138: New Schools

Mr Chivers: The plan makes provision for adequate school capacity for the size and distribution of growth in the plan. Statement of Common Ground (SoCG) EX/55. New 2 FE primary school on land at site HS11, with playing pitches in the Green Belt. Primary school capacity for the growth in the plan now addressed. Secondary school: HCC submitted a Reg 19 representation. Content with two secondary schools but ‘not enough’ FE capacity. SoCG now confirms total capacity for 18FE (10 FE potentially at NW Hatfield and 8FE at BGS). What might happen if we have to add in additional housing sites? If we have to go down that road then may need to look for additional school capacity.

Mr Wood: Couldn't give a better summary.

Mr E Hanson (Welham Green Promoters): Clearly there has been progress to meet the housing requirement but the progress should be towards meeting the OAN. Understand there is no longer a constraint on growth due to primary/secondary school capacity? Primary school provision to be met at site HS11 and promoters at Welham Green have put forward

their own plans. Suggest two modifications – identify location for a 3rd secondary school now and new primary schools.

Inspector: To clarify – the next stage of hearings (Stage 4) will examine the Strategic sites and policies relating to WGC and Hatfield. No point in having a hearing session on the villages until the Council's Green belt work is concluded.

Mr J Adams (Aurora): SP14 should be modified to be compliant with the NPPF. SP14 should be making provision to meet the OAN. Needs to be more positive. Policy is drifting away from the Framework. Mr Adams then circulated a draft policy (which had not been included in his hearing statement). The draft policy includes for safeguarding beyond the plan period. Covers matters such as walking distance to primary schools. Proposal is that sites would be identified in the settlement policies. Also, the NPPF identifies the importance of extending/adapting existing schools. SP14 is very much focussed on new schools.

Inspector: Is this the first time the Council had seen the policy? It would have been better to have circulated it first. He asked if the Council had any comments but that it would be acceptable to come back at a later stage when it had had time to reflect on the wording.

Mrs Tiley: Reserved the Council's position said there were some aspects worthy of consideration but that the requirement should be to meet the housing target and not the OAN. It may well be that the housing target is the same as the OAN but not all villages need a new school, e.g. Cuffley provision – in connection with Goffs Oak. Haven't had opportunity to consider the draft policy circulated.

Mr S Clyne (Aurora): S14 of the Education Act places a statutory duty on the county council to secure the provision of education. It is the role of WH to secure the provision of sufficient housing. WH has effectively reversed the order so that school capacity is restricting growth.

Inspector: I reminded the Council early on in the examination of the duties. You do need to know how many homes you need to build though.

Mr S Clyne: The quantum of housing needs to be settled and then schools provided. There is no leeway in this. It has been the duty for the last 140 years and is not limited by town planning. Not county council role to provide, but secure provision.

Cllr P Zukowskyj: The SoCG between HCC/WH relating to New Barnfield (EX57) has not been through a democratic process at HCC. As the lead opposition member for waste, concerned there may be some procedural issues. The site is still in the mix for a household waste recycling centre – a super site. Allocation hasn't been released and if New Barnfield isn't released – don't know what the solution is.

Inspector: I haven't been informed where the 3rd secondary school is. The (incinerator) proposal for New Barnfield was dismissed on appeal in spite of the site being allocated in the Waste Plan.

Mr Boyd (GCE): Should the housing target change, then there may be a need to review Policy SP14 but do not consider a need exists to replace SP14.

Mr J Firth (Horton Discretionary Trust – site Hat11/HS11): The proposed modifications proposed by Mr Adams amount to a complete re-working of SP14. Raises concerns – at what stage would sites be identified? The opportunity to do that is now and the SoCG has addressed the issue.

Inspector: Once the OAN has been reconsidered/is known – then sites may be identified. Looking at SP14 – sites being identified now.

Mr Hanson: Waiting for the Council to respond to the matters raised by the Inspector on 26 October. Not sure where the OAN/HLS work is. Ought to be a letter coming forward soon.

Mrs Tiley: Will be setting out in a letter where we are at next week. We are out to tender for the GB work and have set an ambitious programme for this.

Mr Adams: SP14 still doesn't address the villages. Can the Council agree that they are making provision for growth in line with the OAN and that education will not be a ground for resisting a site?

Mr Wood: HCC continues to work with the planning authority and promoters. Mr Adams raised the issue that there may be a need to expand existing schools. Many of these are washed over by UOL. New Barnfield is not currently required to meet the growth in the Plan.

Inspector: Is New Barnfield still up in the air?

Mr Wood: The SoCG has been corporately agreed.

Cllr P Zukowskyj: The size and scale of the incinerator proposal resulted in a significant impact on the Green Belt and was not outweighed by public benefit. A HWRC would have less impact, so allocation is maintained in the Waste LP. It is a central site in Hertfordshire.

Mr Boyd: There is actually a redundant school on the site as well.

Mr Adams: Still haven't had an answer – is primary school capacity still a ground for not allocating sites? Sites should be allocated – trying to cut to the chase.

Mrs Tiley: The Council is working with HCC and considering the infrastructure required for growth. The Green Belt work may rule out sites being promoted for primary school provision, so cannot say it will not be an issue at this point. A number of options are on the table.

Inspector: Not saying primary schools unlikely to have a bearing but then not every village would need a school.

Cllr P Zukowskyj: Would resist Mr Adams' statement. The economics of school-place planning is part of planning and should inform the plan if sites are allocated.

Mr Adams: This is an important point – viability – in danger of taking a 1:500 generic approach so might be identifying need that doesn't exist because demographics suggest pupil yield is much less than that. Haven't been able to engage with the Council yet – prior to stage 4 (or 5).

Inspector: A couple of weeks have been reserved in June for the Strategic Sites and the policies that have no bearing on the housing target (WGC and Hatfield policies). Can't move any further forward than this until additional work has been concluded. The Green Belt review will have a major bearing. Unlikely to get to villages until after the summer.

Intend to take a 10 minute break. Realise that a matter raised by the Welwyn Garden City Society was not discussed at an earlier session. All welcome to remain behind (WGCS have not participated at the hearings). Will then be having a short round-up session with the Council

All participations elected to leave.

Representation from the WGC Society was briefly discussed

Inspector: The Society says the Council is not controlling advertisements in WGC. Makes a number of accusations. Is the 'leaflet' some sort of SPD?

Mrs Tiley: A part of SPD was converted into a leaflet to make it more user friendly. It was subject to public consultation and the Society supports the leaflet. Their concern relates to the extent to which it will be enforced.

Inspector: ok. Not a Local Plan matter then.

Break for 10 minutes.