

Welwyn Hatfield Local Plan Main Modifications Consultation February 2023

Representation by CPRE Hertfordshire – the countryside charity

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Part B - This is your Representation

Your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations. **After this stage, further submissions will only be allowed at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

By completing this representation you agree that this is a true representation made by the individual/organisation logged in.

Representation Details

Reference (This can be a Policy, Paragraph, Table or Page Number):

<i>Schedule of Main Modifications and Policies Maps in full</i>

Legal Compliance

Some of the issues to consider for legal compliance of the Main Modifications and supporting documents include compliance with **national policy and legislation**, a **duty to cooperate** and compliance with the Council's **Statement of Community Involvement**.

Do you consider this Main Modification/Supporting Document to be legally compliant?

(please select one answer)

Yes No

Main Modifications 2023 Form

Please give details of why you consider the Main Modification/supporting document to be legally compliant or uncompliant. Please be as precise as possible. If your response exceeds 300 words, please provide an executive summary of no more than 300 words.

CPRE Hertfordshire has maintained, throughout the excessively long planning inquiry process for the Welwyn Hatfield Local Plan, that compliance with the National Planning Policy Framework (NPPF) in plan preparation is compromised by not taking account of the “strong reasons” noted in Paragraph 11 of the NPPF, as identified in Footnote 7. This identifies clearly that Green Belt and Areas of Outstanding Natural Beauty (together with other listed areas) designations should constrain policies relating to future housing provision. Subsequently, Planning Practice Guidance has introduced what have been regarded as over-riding considerations relating to housing land supply which have been used by the Inspector for this inquiry to allocate additional designated protected land for development in the emerging Local Plan.

We believe that these additions have been made inappropriately and against the wishes of the Council and relate specifically to three significant Green Belt sites, i.e; Site WGC 4a (Welwyn Garden City); Sites WeG1, WeG 3a, WeG10 (Welham Green); Site LHe 4, Site LHe 5 (Little Heath). On the same basis, we support strongly the removal of the new village proposals for Symondshyde.

Compliance is likely to be prejudiced further by the imminent publication of amendments to the NPPF following consultation on the NPPF Prospectus and potential requirements of the Levelling Up and Regeneration Bill which is presently in Parliament. These amendments seek to vary the emphasis placed on standard formulae for the calculation of housing need and add flexibility to housing targets in Local Plans relating to local conditions and constraints.

Soundness

The four elements of soundness that Local Plans are considered against are being **positively prepared, justified, effective and consistent with national policy.**

Do you consider this Main Modification/Supporting Document to be sound?
(please select one answer)

Yes No

Which of the soundness test(s) does it fail?
(please select all that apply)

Positively prepared

Justified

Effective

Consistent with national policy

Main Modifications 2023 Form

Please give details of why you consider the Main Modification/supporting document to be sound or unsound. Please be as precise as possible. If your response exceeds 300 words, please provide an executive summary of no more than 300 words.

The number of new homes proposed as a result of the Main Modifications is 15,200, with the reason given as 'to reflect the Full Objectively Assessed Need (FOAHN) and the identified strategy'. This scale of development can only be achieved by thousands of new houses being built in the Green Belt in contravention of existing national policy as noted in the National Planning Policy Framework (NPPF)(see above). This also runs counter to the Government's recently published NPPF Prospectus for consultation which states that Councils do not have to meet the FOAHN if this would mean altering Green Belt boundaries.

The Government's intention is clear in both the NPPF Prospectus, the Levelling Up and Regeneration Bill presently before Parliament, and repeated public statements, including the Written Ministerial Statement of 6th December 2022. Existing provisions in the NPPF are clearly not appropriate for Local Planning Authorities such as Welwyn Hatfield Borough Council where a little over 79% of the land area of the Borough is designated as Green Belt.

Submitted by email 15th February 2023