

East Herts Council Non-Key Decision Report

Date: 23 January 2023

Report by: Councillor Linda Haysey – Leader of the Council

Report title: Welwyn Local Plan: Main Modifications Consultation

Ward(s) affected: Hertford Rural South Ward

Summary:

- This report proposes a response to Welwyn Hatfield's consultation on its Main Modifications to the Welwyn Hatfield Local Plan.

RECOMMENDATIONS FOR DECISION: That Welwyn Hatfield Borough Council be informed that East Herts Council:

- (A) cannot support the proposed Main Modification at the second bullet point of Policy SP19 criterion b) regarding the proposed wording in relation to pitch provision for Gypsies and Travellers as part of the allocation; and**
- (B) suggests that the policy wording is amended as follows:**
- b) two serviced sites for Gypsies and Travellers (4 pitches to be delivered in East Herts and 11 pitches to be delivered in Welwyn Hatfield) to contribute towards meeting the local needs of both authorities, the locations to be determined through the Masterplanning process, taking into account the latest Accommodation Needs evidence of each authority.**

1.0 Proposal(s)

- 1.1 The purpose of this report is to agree the Council's response to the Welwyn Hatfield Local Plan Main Modifications consultation.

2.0 Background

- 2.1 The Welwyn Hatfield Local Plan was submitted for examination in May 2017. Local Plan Examination hearing sessions were held between 2017 and 2021, including a joint session with East Herts Council in January 2018, which covered cross-boundary matters. Following the conclusion of the Hearing Sessions, the Inspector has stated that a consultation on the main modifications to the Local Plan can proceed. Main Modifications represent the proposed changes that have been identified by the Inspector as necessary to make the Local Plan 'sound'. The consultation focusses on these changes rather than the whole Local Plan document.
- 2.2 A schedule of Main Modifications to the plan has been prepared by Welwyn Hatfield Borough Council and the consultation runs from the 4th January to 15th February 2023. Changes have also been made to the policies map and supporting documents.
- 2.3 Following the consultation, the Inspector will consider consultation responses and will then determine whether the Local Plan is 'sound' and produce a written report outlining final recommendations.
- 2.4 This non-key report presents East Herts Council's response to this consultation.

3.0 Reason

- 3.1 East Herts Council welcomes the opportunity to comment on the Welwyn Hatfield Local Plan Main Modifications. The East Herts District Plan was Adopted in October 2018 and has a policy (Policy EWEL1) that relates to development on Land East of Welwyn Garden City. This area of land is allocated for development in both the Welwyn Hatfield Local Plan and the East Herts District Plan.
- 3.2 The policy requires both councils to work together to ensure that the development is delivered in a comprehensive manner across the respective local authority boundaries. Critical to the development of this site is Welwyn Hatfield Local Plan Policy SP19 which relates to the aforementioned site.
- 3.3 A number of main modifications to Policy SP19 are set out in the schedule of changes, under Table MM39 (see background papers). East Herts Council has reviewed the main modifications and has the following comment to make specifically about Policy SP19 criterion b):

The Council cannot support the proposed Main Modification at the second bullet point of Policy SP19 criterion b) regarding the proposed wording in relation to pitch provision for Gypsies and Travellers as part of the allocation.

- 3.4 While it is acknowledged that the East Herts District Plan has identical wording at Policy EWEL1, and the Main Modification to the Welwyn Hatfield Local Plan would bring synergy between both development plans, the situation has evolved considerably since the joint Hearing session in January 2018 and the adoption of the East Herts District Plan in October 2018. For a number of reasons relating to pitch delivery, tenure, and social cohesion, both councils are now seeking the same level of provision for the site allocation to be split across

the two local authority areas and this approach is being developed through the Masterplanning process commissioned by both councils.

- 3.5 The Council suggests that the policy wording is amended as follows:

b) two serviced sites for Gypsies and Travellers (4 pitches to be delivered in East Herts and 11 pitches to be delivered in Welwyn Hatfield) to contribute towards meeting the local needs of both authorities, the locations to be determined through the Masterplanning process, taking into account the latest Accommodation Needs evidence of each authority;

4.0 Options

- 4.1 The Council could choose not to submit the comments to the Main Modifications consultation.

5.0 Risks

- 5.1 Not submitting this report to the Main Modifications consultation wouldn't allow East Herts Council to put forward its views, and consequently the views of East Herts would not be considered by the Inspector. Not raising the issue could have an impact on the delivery of the Gypsy and Traveller provision at Land East of Welwyn Garden City.

6.0 Implications/Consultations

- 6.1 This report is a response to the Main Modifications consultation to the Welwyn Hatfield Local Plan.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

Hertford Rural South Ward

7.0 Background papers, appendices and other relevant material

The Main Modifications Consultation webpage can be found here:

[Local Plan Main Modifications Consultation – Welwyn Hatfield Borough Council \(welhat.gov.uk\)](http://www.welwyn-hatfield.gov.uk/LocalPlanMainModificationsConsultation)

Contact Member

Councillor Linda Haysey – Leader of the Council

linda.haysey@eastherts.gov.uk

Contact Officer

Sara Saunders – Head of Planning and Building Control, Tel: 01992

531656. sara.saunders@eastherts.gov.uk

Report Author

George Pavey – Principal Planning Officer, Tel: 01992 531623.

george.pavey@eastherts.gov.uk