

**HERTSMERE BOROUGH COUNCIL  
SITE ALLOCATION AND DEVELOPMENT  
MANAGEMENT PLAN DPD**

**STATEMENT OF COMMON GROUND BETWEEN**

HERTSMERE BOROUGH COUNCIL (HBC)

AND

WELYWN HATFIELD BOROUGH COUNCIL (WHBC)

VERSION 3

6<sup>th</sup> NOVEMBER 2015

## **INTRODUCTION**

Hertsmere Borough Council (HBC) has been in correspondence and discussions with Welwyn Hatfield Borough Council (WHBC) in respect of the representations made by WHBC in relation to Policy SADM5, SADM23 and strategic housing issues in the published Site Allocation and Development Management Plan DPD (SADM). The following section provides a summary of the relevant representations made by WHBC; changes to the SADM document proposed by WHBC; HBC's response to the representations; and an agreed resolution / common ground between the two parties on these matters.

### **Issue One**

#### **Representation Reference 030 (Appendix 1) in relation to Policy SADM5 – Gypsy, Traveller and Travelling Showpeople Sites**

In its representation WHBC did not consider Policy SADM5 to be sound in that the policy is not deemed to be positively prepared or justified and is not in consistent with national policy. In summary, WHBC raised concerns over:

- the deliverability of sites being allocated / regularised through the Policy SADM5;
- HBC's latest Gypsy and Traveller Accommodation Assessment; and
- the apparent lack of a five year supply of deliverable sites for travellers in the SADM document.

To address the concerns raised, WHBC proposed that the SADM should consider:

- further verification of the sites identified in Policy SADM5 and to address any deliverability issues identified; and
- allocating at least 10 additional permanent gypsy and traveller pitches over and above the current provision the SADM to achieve a five year supply of pitches.

### **Hertsmere Borough Council Response**

HBC believes that sites identified in the Policy SADM5 are deliverable. For instance there is scope for the provision of new pitches at Sandy Lane (GT1), as stipulated by HBC's Affordable Housing SPD, to be funded by the Affordable Housing commuted payments as this is a publicly owned and managed site. In fact, the latest Annual Monitoring Report (reference needed) showed that HBC is able to demonstrate a five year supply of travellers' pitches – any shortfall that may occur as the 5 year period rolls forward would be minimal.

With regards to the latest Gypsy and Traveller Accommodation Assessment (GTAA), the Council has identified sustained under-occupation by Gypsy and Travellers on the largest privately owned site in the borough (permitted for 25 pitches); in addition to four vacant pitches, a number of other pitches have been identified as potentially not being occupied by Gypsies or Travellers . These investigations could influence projected needs level in the future. Given the sensitivity around this issue, HBC has taken a cautious approach and

withheld from publishing the final GTAA report until it has been updated to reflect the levels of sustained under-occupation of pitches in the borough.

As set outlined in paragraph 1.5 of the Site Allocations and Development Management (SADM) Policies Plan, the purpose of the SADM is to '*sets out detailed proposals and policies by which the Council sees the aims and objectives of the [adopted] Core Strategy being best achieved.*' The Council is committed to meeting the objectively assessed need for Gypsy and Travellers wholly within its administrative boundary and as stated in paragraph 2.31 of the SADM Policies Plan, longer term provision will be considered as part of the forthcoming Core Strategy Review, including the potential to allocate land through any Green Belt review. Technical work on the Core Strategy review is now underway and the Council has already started gathering evidence to inform the review through the commissioning of technical studies.

### **Resolution**

HBC has shared the emerging GTAA with WHBC on a confidential basis, further evidence on the deliverability of GT1 and the five year land supply. In light of the above and having considered the emerging GTAA, WHBC will therefore withdraw its objection.

### **Issue Two**

#### **Representation Reference 030 (Appendix 1) in relation to Policy SADM5 – Gypsy, Traveller and Travelling Showpeople Sites**

WHBC is concerned about potential lack of provision for transit sites within Hertsmere and the wider region. WHBC acknowledges that HBC is the only borough in Hertfordshire with an existing transit site and that the emerging new GTAA indicated that there is no need for further transit provision in the borough. However, in the absence of a full up-to-date GTAA WHBC maintains a holding objection in relation to soundness and the duty-to-cooperate.

#### **Hertsmere Borough Council Response**

The emerging GTAA had found no evidence of any additional need for transit pitches in Hertsmere. However it is acknowledged that the matter has not been looked-at on a sub-regional / county-wide level.

### **Resolution**

HBC has shared the emerging GTAA with WHBC on a confidential basis. In light of the above and having considered the emerging GTAA, WHBC will therefore withdraw its objection.

### **Issue Three**

#### **Representation Reference 030 (Appendix 1) in relation to Policy SADM23 – Green Belt Boundary**

WHBC is of the view that in accordance with national guidance, the Green Belt designation on the three travellers' sites (GT1, GT2 and GT3) allocated in Policy SADM5 should be removed. Failing to do so would mean that the plan is effectively allocating inappropriate development i.e. Gypsy and Travellers' pitches inside the Green Belt, which is against national policy.

#### **Hertsmere Borough Council Response**

The Council does not believe there is a need to remove Green Belt designation from these three sites. WHBC's reference to the Inspector's report on Solihull's Gypsy and Travellers' Allocation Plan is acknowledged; however unlike Solihull the sites in question within Hertsmere are already established and the allocations within the SADM document do not involve any expansion of the sites onto un-developed land. Policy SADM5 is therefore aimed to safeguard existing sites, instead of allocating new sites within the Green Belt. Site boundaries are tightly defined for the three sites and given the size and nature of the sites is highly unlikely that any further expansion or intensification could take place. Taking into account the above considerations, HBC is of the view that the Policy SADM5 is in compliance with national policy and the three sites (GT1, GT2 and GT3) allocated for Gypsy and Travellers in Policy SADM5 should not be removed from the Green Belt.

#### **Resolution**

WHBC accepts the Council's response that these sites are being safeguarded and will therefore withdraw its objections.

### **Issue Four**

#### **Representation Reference 030 (Appendix 1) in relation to the plan as a whole and in particular strategic housing matters**

WHBC welcomes the 'over-supply' of housing in the SADM (4,465 homes over 15 years) above and beyond the minimum housing targets set in the adopted Core Strategy (3,990 homes over 15 years). However, this number is significant lower than the DCLG household projection (approximately 8,500 additional households between 2012 and 2017).

WHBC is therefore concerned that HBC's Core Strategy Review may not include individual site allocations and a five year land supply delivery mechanism which could lead to a shortfall of housing delivery. WHBC therefore seeks a clear timetable for a single Local Plan review instead of a split Core Strategy review and subsequent SADM review. WHBC also requires reassurance from HBC in relation to effective and future duty-to-cooperate work between the Councils in the future.

## Hertsmere Borough Council Response

HBC is not seeking to review its strategic policies in the SADM document which, in terms of land allocations, simply seeks to deliver the requirements of the adopted Core Strategy. Individual future allocations will be undertaken as part of the forthcoming Core Strategy Review, effectively creating a single Local Plan and the Council is able to clarify this through a suggested amendment to paragraph 8.9 (Review) in Chapter 8 (Implementation and Monitoring Framework) of the SADM Policies Plan. It should be emphasised that the Council is working with neighbouring authorities on joint-studies including a Strategic Housing Market Assessment (SHMA), Economy Study and a Water Cycle Study; findings from these and other studies will inform the Core Strategy Review.

The Council acknowledges WHBC's concerns over the potential delay in reviewing site-specific requirements but considers that progressing the SADM Policies Plan in a timely way and having an up-to-date suite of planning policies, will then enable longer term requirements for the borough to then be considered in an appropriate way through the Core Strategy review. HBC is committed to continue working with WHBC and other partners on strategic cross boundary planning issues as part of the early review of the Core Strategy;

### Resolution

WHBC is satisfied with the Council's response to the concerns raised and will therefore withdraw its objections, following the agreed proposed amendment to paragraph 8.9 of the SADM Policies Plan:

8.8 In order to ensure that the Council is effectively delivering the policies contained in this Plan a monitoring framework is required. The monitoring framework in this document will complement the framework in Table 16 of the Core Strategy.

8.9 The Council's monitoring process will be used to identify where objectives and targets are not being met through policies and recommend action to amend any problems that occur. **In addition and as part of the review of the Core Strategy (2013), the Council will consider the need for new allocations arising from the identification of an Objective Assessment of Housing Need and the Council's agreed housing target. The Council will identify individual land allocations arising from that review. Further details of the process will be set out in the Council's Local Development Scheme.**

Signature: 

On behalf of Hertsmere Borough Council

Printed name: Mark Silverman

Dated 13<sup>th</sup> November 2015

Signature: 

On behalf of Welwyn Hatfield Borough Council

Printed name: Colin Haigh

Dated 13<sup>th</sup> November 2015