



**Representations to North Hertfordshire Local Plan Examination:  
Schedule of Further Matters, Issues and Questions  
– February 2020  
On behalf of Beck Homes Ltd**

These representations are submitted in response to the Schedule of Further Matters, Issues and Questions published January 2020 regarding the ongoing Examination of the North Hertfordshire Local Plan 2011-2031. They are submitted on behalf of our client, Beck Homes Ltd, who have land interests in a category A village in the Local Plan.

We cannot see how the emerging Local Plan meets housing need for the district as the main modifications in themselves are now considered somewhat deficient against the realities of seeking to boost significantly the supply of housing. New published figures in the Housing Delivery Test shows that just 40% of the minimum housing requirement has been built over the first eight years of the Plan period, and is projected to continue to under deliver, with the latest annual completion just 222 homes built, and over the last three years, less than half of the housing need has been delivered (44%). This is a severe shortfall of housing within the Local Plan period.

Whilst the Local Plan seeks to allocate sites, we have previously presented that one of the potential issues the Plan will face in delivery is the reliance on the large Green Belt releases, especially in the short term. These are significantly large development sites that will take time to bring forward and be developed due to infrastructure needs and for many housebuilders to be building out on such large sites at the same time. We have previously made the case to the Examination Hearings that developments on the edge of the existing Category A villages that are not within the Green Belt could be brought forward immediately to help meet the shortfall, but the Council has not taken this approach. More sites are however clearly needed to meet housing need, the five-year supply, and the future Housing Delivery Tests, as these roll forward in the short term. However, the Council is not taking this approach and we consider this unsound.

Matter 22 –The Supply of Housing, is clear that the overall housing requirement in Policy SP8 cannot now be met for the Plan period and the Council will not be able to demonstrate a five-year housing land supply when measured against draft Policy IMR1. The Council’s proposed solution is to reduce the overall requirement to align it with a level of housing they consider deliverable from allocations and windfall sites, and a commitment to an early review of the Local Plan. However, neither of these proposals go towards meeting the shortfall. A recent Inspector’s Report into the Fylde Borough Council Annual Position Statement, published in January 2020, provides the following important reminder in relation to shortfalls in housing supply (para 14):

*The objective of national planning policy is to “...significantly boost the supply of homes...” and a 5-year HLS is regarded as a minimum position. **The shortfall in delivery is not a mathematical exercise, it is real households that require homes now.***

The Five-Year Housing Land Supply Statement published in January provides at paragraph 20 the current position in relation to progress on proposed Local Plan allocation sites. This states that positive steps have been taken where appropriate, and permissions, or resolutions to grant, have been issued on a number of proposed non-Green Belt allocations within towns and villages, and in the rural area beyond the Green Belt. It also states: ‘The current absence of a five-year land supply has been a factor in relevant decisions’. This includes sites in Ashwell and Barkway and other category A locations where draft allocations are located. The document then states that: ‘Equally, the Council has resisted a number of “hostile applications” on sites not proposed for allocation in the Plan’. The difference in large part between sites that the Council considered ‘hostile planning applications’ and those draft allocations in the Local Plan (on which consents have now being granted) is largely due to a decision at the start of the plan period regarding the number and distribution of houses to each category A village against the overall housing target in the Plan. As these overall targets cannot now be met, further development should be delivered in the short term in these areas, which are unconstrained by Green Belt.

As the situation has evidently changed since that time, we consider that the Council’s approach to category A villages should be to allow development on sites adjacent to the settlements to meet immediate housing need as a response to the Housing Delivery Test (which is severely below target) and the presumption in favour is triggered. Such sites could be considered part of the windfall allowance in the Local Plan, and any perceived impact on the plan strategy would be balanced against the overall shortfall of housing. The approach to resist further development at sustainable settlements appears to be contrary to government thinking in terms of the paramount importance to delivery of housing through the introduction of the Housing Delivery Test alongside the five year supply.

Reference to the hostile application sites in the Five-Year Housing Land Supply states that several were sustained at appeal and confirms that these appeal decisions were predicated upon the anticipated resolution of the Council's current five-year supply issues through the new Local Plan in the near future, with a position that 'the ongoing delays in the Local Plan examination place the Council's ability to sustain such a position in any future appeals at risk.

North Hertfordshire currently has 1.3 years of housing land supply. In our client's experience as the promotor of one of the 'hostile applications', determined at appeal in 2018 on the predication that the Council could meet a five-year land supply in the near future, it's clear that the situation has gotten much worse and is now combined with the results of the Housing Delivery Test. The position of previous shortfall in the plan period and continued future shortfall has clearly become more extreme.

The approach now sought to be taken is not to accept more housing at sustainable locations, but to amend the housing figures downwards. Whilst we understand the reasoning in seeking to do this, the fact remains that the local authority has previously sought to limit development in locations where it is considered sustainable development can be delivered (category A villages not within the Green Belt) and that this was done on the basis that sites elsewhere would be released through the Plan upon adoption. However, acknowledging a reduction in the requirements and annual delivery targets for the remainder of the Plan period effectively means that the problem is hidden from the government's monitoring regime set up to ensure delivery of housing, through both the five-year land supply and housing delivery test.

We have previously proposed through the examination process and maintain in this statement, that a change in the approach to non-Green Belt sites on the edge of category A villages should be introduced to allow the granting of consent for additional developments until such time as the five-year land supply and Housing Delivery Test are met. A similar approach to the delivery of windfall sites was adopted by Pendle Borough Council in their Core Strategy. This allowed for sustainable sites outside but adjacent to sustainable settlements to be approved where they could make a positive contribution to the five-year supply of housing land. This effectively enshrined the presumption in favour of sustainable development within policy until such time that the local authority had sufficient housing land.

We acknowledge that the change in approach suggested above will not bring the Council up to the housing level it needs, but it will provide some sites in the immediate short term to meet need, with no negative impact on the overall plan strategy. The strategy in its current form has now brought forward sufficient housing sites.

In relation to the commitment to an early review of the plan, to address the reduction in housing numbers it appears that this commitment is to commence a review by the end of 2023. Given the need to review plans every five years, and given the length of time to prepare Local Plans, this would appear to be the date at which a review would be undertaken in any event. Should the Inspector accept the plan as sound, on the basis of a reduced overall housing requirement, the review of the Local Plan should in our view begin immediately.