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# **NORTH HERTS DISTRICT COUNCIL LOCAL PLAN EXAMINATION**

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On behalf of Ashill Land Limited

**Hearing Statement: Matter 21**

February 2020

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# 1 Introduction

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- 1.1 CBRE Limited is instructed by Ashill to address the Examining Inspector's questions from the perspective of the proposed allocation of the land south of Heath Lane (ref: CD5) for housing.
- 1.2 Ashill has an interest in the land at Heath Lane in Codicote which is identified in the submitted Local Plan to be removed from the Green Belt and allocated for 140 dwellings. Following promotion of the site since 2013 and significant engagement with Hertfordshire County Council (HCC) on the land that is being gifted to facilitate expansion of Codicote Primary School, a planning application (ref: 18/02722/FP) was submitted in October 2018 for the following development:  
*'Full planning permission for 167 dwellings (Use Class C3) and associated works including formal open space, internal road network, landscape enhancement and creation of accesses from Heath Lane and St Albans Road; and the demolition of 66 St Albans Road'.*
- 1.3 As the site is within the Green Belt, decision on the planning application has been delayed until its release has been secured via the adoption of the Local Plan. Not only has this had an impact on the housing land supply for the first five years of the plan period, but on the ability for Codicote Primary School to expand. The application proposes the safeguarding of land for the school to construct new playing fields, releasing land on their existing school site for additional development to expand the school by 1 FE . The school is already operating at capacity, and further delay to approval of the planning application will result in delays to the school being able to open.
- 1.4 In the context of the above, Ashill is supportive of NHDC's ambition to move the plan forwards towards adoption as quickly as possible so as to enable early housing delivery and the much needed school expansion.

## 2 Matter 21 – The objective assessment of housing need ('the OAN')

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### Background to the Matter and Inspectors Further Questions

2.1 Subsequent to the last hearing sessions in March 2018 the 2016-based population and household projections were published. The Council considered the implications of these projections in its note submitted as ED159. The Inspector raised some further issues in relation to the figures included in this, which have been addressed by the Council in ED171. Following this, the Inspector is asking for responses on the following questions:

**21.1a)** Have the alternative OAN figures been arrived at correctly/on a robust basis?

**21.1b)** In the light of the alternative OAN figures, has there been a meaningful change in the housing situation?

**21.1c)** If there has been a meaningful change in the housing situation, should the Local Plan be modified to reflect it, and if so, how?

### Ashill response

2.2 We consider that the alternative OAN figures, using the 2016 projections have been arrived at on a robust basis, that has been interrogated and presented by a third party to demonstrate that they do not result in a meaningful change to the housing situation in NHDC. The alternative OAN methodology, using the 2016 projections calculates a slightly reduced figure of 12,900 homes, compared to 13,800 against the 2014 projections. This equates to an overall reduction of 900 units (6%) over the entire plan period, which we do not consider is a meaningful change and certainly not one that needs to be reflected in the OAN assumptions in the Local Plan. This change can be addressed via the Local Plan Review proposed by the Council.

2.3 Government guidance has been clear that the housing need calculated via the standard methodology and 2016 projections are intended to be seen as a minimum, given the overall government ambition to significantly boost the supply of homes<sup>1</sup>. In addition, the Government has confirmed that the 2016-based household projections should not be used as a reason to justify lower housing need<sup>2</sup>. Planning Practice Guidance confirms that authorities may submit higher numbers on the basis of, for example, economic growth, regeneration, infrastructure investment or affordable housing. This is particularly true in areas where there are affordability issues with house prices:earnings ratio of over 4.0; in Codicote, for example the ratio is 10.7.

2.4 Further, in Wycombe District Council, where the Local Plan was adopted in August 2019, the Inspector asked a similar question to the above. She subsequently concluded that *'there are some doubts about the reliability of the 2016-projections and their reliability. Notwithstanding this, the PPG on Housing and Economic Development Needs Assessment makes clear that household projections are only the starting point for establishing a housing requirement figure.'* This conclusion to not update the objectively assessed need was recently supported by a High Court Decision challenging the lawfulness of the approach<sup>3</sup>.

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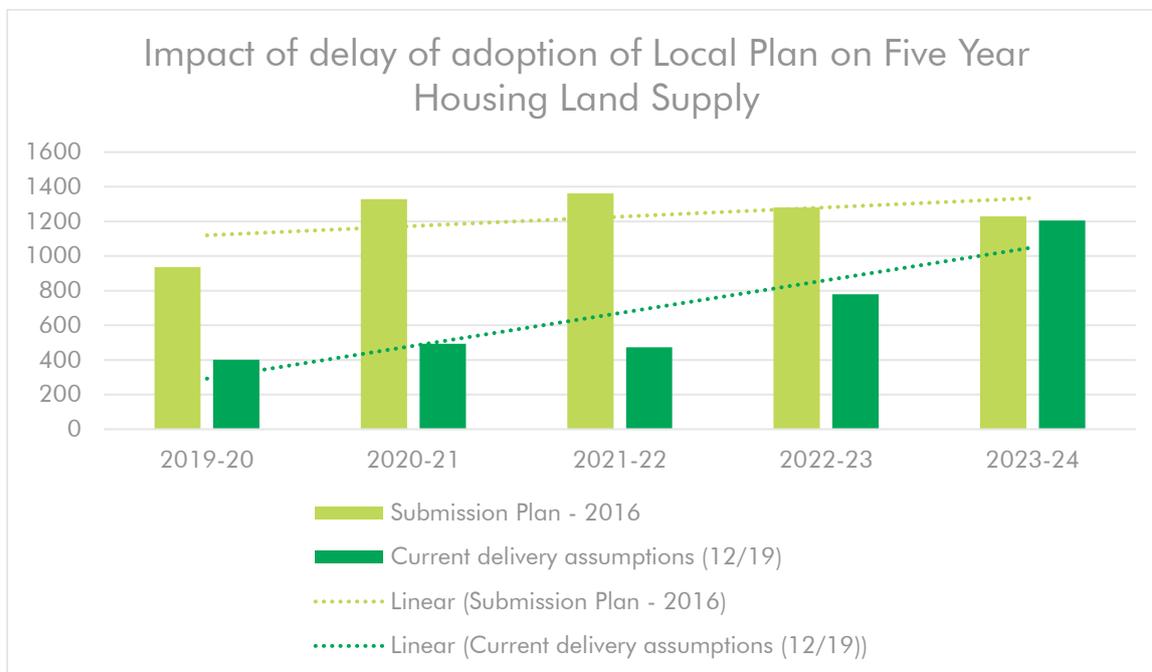
<sup>1</sup> NPPF Paragraph 55

<sup>2</sup> MHCLG – Government Response to the technical consultation on updates to national planning policy and guidance (February 2019)  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/779792/LHN\\_Gov\\_response.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779792/LHN_Gov_response.pdf)

<sup>3</sup> CO/0309/2019 – KBEG vs Wycombe District Council and the Secretary of State for Communities and Local Government.

## Matter 21 – The objective assessment of housing need ('the OAN')

- 2.5 There is a more meaningful change to the housing situation resulting from the delay to the adoption of the Local Plan, should there need to be further consideration of the 2016 projections. This will result in a continued delay to delivering housing in the District already experienced, as demonstrated on the chart below.



- 2.6 The additional information submitted by NHDC demonstrates that it is capable of delivering 14,000 homes over the plan period. There seems to be no reasonable case for reducing the OAN at this stage in the Local Plan, when there is a significant existing shortfall of housing as demonstrated by the 2019 Housing Delivery tests,<sup>4</sup> and a higher housing target has been demonstrated as achievable<sup>5</sup>.
- 2.7 Given the uncertainty over the methodology and likelihood that this will be reviewed, amending the Local Plan to include a requirement for review in five years seems like the most appropriate balance between ensuring plans are based on the latest needs and allowing a development plan to be adopted in an authority that is currently under special measures and unable to defend appeals for housing development based on the lack of an up to date plan.

<sup>4</sup> Housing Delivery Test 2019 - <https://www.gov.uk/government/collections/housing-delivery-test>

<sup>5</sup> ED178