
NORTH HERTS DISTRICT COUNCIL LOCAL PLAN EXAMINATION

On behalf of Ashill Land Limited

Hearing Statement: Matter 22

February 2020

1 Introduction

- 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 22

The overall supply of land for housing

3.1 Due to the delay in the Examination of the Local Plan, to ensure that the overall housing requirement in Policy SP8 can be delivered, the Council has proposed a main modification to reduce the requirement to 14,000 dwellings (from 15,950) to align it with the level of housing that the Council considers deliverable, coupled with a commitment to an early review of the Local Plan. In arriving at this position, the Council has considered a number of alternative options.

22.1a) Is reducing the overall housing requirement and undertaking an early review of the Local Plan the most appropriate way forward? If not, why not?

22.1b) Is the selection of additional land for housing from previously identified sources the most appropriate way forward? If so, why?

22.1c) Is the identification and selection of additional land for housing the most appropriate way forward? If so, why?

22.1d) Are there any other possible options that would be more appropriate? If so, what are they and why would they be more appropriate than the path suggested by the Council?

The five year housing land supply

3.2 The Council's note (ED171) sets out a number of different approaches to calculating the five year housing land supply. The Inspector concluded that the Council's 'three-stepped approach', combined with the commitment to an early review of the Local Plan, is the most appropriate method for setting the five year housing land requirement, because it is the only option achievable without significant further delay to the examination.

22.2a) Are the Council's calculations correct/accurate?

22.2b) All of the approaches used by the Council assume that the buffer required by paragraph 47 of the NPPF should be 20% - that is to say, that there has been a record of persistent under delivery of housing in the District. Has there been, such that the 20% buffer is the most appropriate?

22.2c) Is the 'three-stepped approach' proposed by the Council the most appropriate method for setting the five year housing land requirement? If not, why not?

22.2d) Is one of the other approaches to setting the five year housing land requirement explored in the Council's note, or another approach entirely, more appropriate? If so, why, and:

(i) what should the Council do to ensure that it can demonstrate a five year supply of land for housing under this approach?

(ii) what would taking this approach mean for the progress of the Local Plan examination?

(iii) if taking this approach would lead to a significant further delay to the Local Plan examination– which, for example, may be the result if new housing sites would be needed – would that have a consequential impact on the amount of new land that would need to be allocated for housing?

Ashill response

3.3 Ashill is supportive of Local Plan housing target being reduced alongside a commitment to a review of the Local Plan as long as this does not cause any further delay to its adoption, which is causing uncertainty for developers and residents. In the case of Ashill's land interests, it is also preventing sustainable development from being approved and delaying the extension to a primary school that is already at over capacity without accounting for the development proposed within the Local Plan. The extension of the primary school is facilitated through Ashill's pending planning application.

Matter 22 – the supply of land for housing

- 3.4 The construction of a brand new 1FE school elsewhere in Codicote to meet the needs arising from new development was not a realistic solution for HCC. This is because the school has no land within its ownership or within its immediate vicinity. Without the ability to expand the existing school, pupils will need to travel beyond the district to attend schools, contributing to increased traffic and reduced air quality. Furthermore, without the development, the school will continue to operate above capacity in temporary accommodation with sub-standard facilities, causing significant difficulty beyond 2020, even if no development occurs within Codicote.
- 3.5 HCC has, since the submission of the planning application on Site CD5, commenced the statutory process towards seeking permission for the school expansion. The application documentation notes that the school is currently operating at a 17% shortfall, which is projected to increase to 33% by 2021/2022. To address this issue, the school is required to expand through utilising the land gifted by the application, to provide additional places by September 2020. Further delay to the Local Plan will not enable this to occur on time.
- 3.6 Delay to the local plan has resulted in a shift to the 5 year housing land supply to 1.3 years. The Local Plan was expected to be adopted in 2018, with housing delivery from Green Belt sites expected to contribute to housing supply figures by 2019. The delay has meant that housing delivery has been reduced from 608 anticipated dwellings in 2018/2019 to 220 and a decrease in the 2019/2020 trajectory from 936 to 401. Further, the latest Housing Delivery Tests (2019) have confirmed that NHDC has only delivered 44% of its housing target over the past three years. This means that NHDC is now unable to defend itself against unsustainable housing development. There has been significant under delivery in NHDC which must be combatted through progressing swiftly with the Local Plan. We agree that a 20% buffer on housing supply is the most appropriate given this under delivery.
- 3.7 In addition, the current Plan states that no other development sites in Codicote can come forward without CD5 being delivered. Development in Codicote is anticipated to deliver 213 units in the first five years, against a target of 2,500 (c.10%). If the Local Plan continues to be delayed via alternative approaches to that proposed by the Council, this will have an impact on the housing delivery for the first five years of the plan, further pressure will be placed upon delivery in the later years of the Plan. The later years are already subject to assumptions of significant uplifts to housing delivery.
- 3.8 Whilst we are supportive of the approach taken by the Council and wish for the Plan to be found sound as soon as possible, we would note that the proposed stepped approach proposes a significant increase in housing delivery from 500 dwellings per annum in 2019-2024 and 1,250 dwellings per annum. Therefore, in order to ensure that there remains a sufficient supply of housing, and to reduce pressure on the latter years of the plan, where it can be demonstrated that individual allocations anticipated to come forward in the first five years are capable of supporting additional dwellings sustainably, this should be supported by the Council and we consider this should be added to the Plan as an additional mechanism of ensuring sufficient housing delivery. This would mean that the Local Plan could be adopted without delay.