
FIVE YEAR HOUSING LAND SUPPLY STUDY

Land at Chiswell Green Lane,
Chiswell Green, St Albans

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1.0 INTRODUCTION

- 1.1 This Five-Year Housing Land Supply Study has been produced to accompany a planning application that is to be submitted for the construction of up to 391 dwellings on land at Chiswell Green Lane, Chiswell Green. The planning application is being made jointly by Alban Developments Limited and Alban Peter Pearson, CALA Homes (Chiltern) Ltd and Redington Capital Ltd.
- 1.2 This study demonstrates that at a baseline date of 1 April 2021 there is a housing supply shortage in the St Albans area which equates to approximately 2.2 years. Indeed, St Albans City and District Council acknowledge that it cannot demonstrate a five-year housing land supply as required by the provisions of national planning policy: a point that has been confirmed by recent planning appeal decisions. The proposed development would therefore assist in addressing some of the shortage and satisfy local housing needs.

2.0 THE SITE

- 2.1 The application site extends to some 14.02ha and is located adjacent to the village of Chiswell Green, approximately 1.1 km southeast of St. Albans. Chiswell Green, along with the villages of Bricket Wood and Park Street lies with St Stephens Parish.
- 2.2 The application site comprises agricultural land, a farmyard with stables and equine facilities, and a derelict farmhouse and outbuildings. The agricultural land is divided into four distinct fields separated by mature trees. The fields in the northern part are intensively grazed by horses whilst the fields in the south are currently unmanaged grassland.
- 2.3 The northern boundary is formed by Chiswell Green Lane. The eastern and south-eastern boundaries adjoin the built-up area of Chiswell Green and the gardens to existing residential properties. There is a small woodland which is the subject of a Tree Preservation Order to the east of the site which is not included within the proposals but sits between the site and the existing residential properties. The western boundary adjoins in part a private car park and Miriam Lane. Lying adjacent to Miriam Lane is the former 'Butterfly World' attraction.
- 2.4 St. Albans Polo Club is approximately 80m northeast of the site with Chiswell Green Lane lying between the two areas. The M1 is 1.4km to the east and meets the M25 1.5km southeast of the site. The surrounding area contains residential areas to the east and agricultural land to the west.
- 2.5 The site does not have any planning history of relevance to the current proposals.

3.0 THE PROPOSED DEVELOPMENT

- 3.1 The application has been submitted for outline planning permission and has been described as demolition of existing buildings and construction of up to 391 dwellings (Use Class C3), the provision of land for a new two-form entry primary school, open space, associated landscaping, and new access arrangements.
- 3.2 The proposed development would comprise a variety of dwelling types and sizes however the precise mix would be determined through the subsequent reserved matters application. The development would include affordable housing (40.0%) and self-build plots (3.0%).

4.0 PLANNING POLICY CONTEXT

4.1 The National Planning Policy Framework (NPPF) 2021 requires plan-making authorities to assess and demonstrate a five- year supply of deliverable housing sites. Specifically, paragraph 74 of the NPPF states:

“Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.”

4.2 Paragraph 71 of the NPPF supports the inclusion of a windfall allowance in the five-year supply where there is compelling evidence that suggests this is a reliable source of supply.

4.3 If a plan-making authority cannot demonstrate a five-year land supply (plus any relevant buffer), the presumption in favour of sustainable development will apply, as set out in paragraph 11(d) of the NPPF and the corresponding footnote. This is to enable the development of alternative sites to meet the policy requirement.

4.4 As stated in paragraph 74 of the NPPF, where an authority has an up-to-date plan-based housing requirement (adopted in the last five years), the housing requirement set out in the Local Plan is the basis for assessing the five-year housing land supply. Otherwise, the assessment is against the local housing need figure, calculated using the government’s standard methodology. Footnote 39 to paragraph 74 of the NPPF3 states:

“Where local housing need is used as the basis for assessing whether a five-year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance.”

4.5 The St Albans City and District Local Plan dates from 1994 and is considerably more than five years old. The assessment of five-year housing land supply should therefore be determined in line with the standard method. Once the Council adopts a new Local Plan, the housing figure used for five-year housing land supply assessments will be the housing requirement in the Local Plan, rather than the local housing need figure.

4.6 The Planning Practice Guidance advises that for the purposes of calculating five-year land supply, housing completions include new build dwellings, conversions, changes of use and demolitions and redevelopments, and that completions should be net figures, so should offset any demolitions.

5.0 FIVE YEAR HOUSING LAND REQUIREMENT

- 5.1 The total five-year housing land requirement is determined in accordance with the standard method for calculating local housing need using the 2014 household-based projections from the Office for National Statistics, as required by national policy and guidance.
- 5.2 The base five-year requirement for St Albans is 892 dwellings per annum¹ (dpa) using the standard method which is applied over the five-year period from 2021/22 to 2025/26. The identified local housing need figure for St Albans is however 1,070 dpa (892 dpa plus a 20% Buffer).
- 5.3 A 20% buffer is added to the local housing need figure in accordance with paragraph 74 of the NPPF because there has been a significant under delivery of housing in the area in the previous three years as explained below.

Housing Delivery Test

- 5.4 All plan-making authorities are now subject to the annual Housing Delivery Test (HDT). Where a plan-making authority's delivery rate falls below the number of homes required identified in the HDT, certain circumstances, as set out in the NPPF apply. This includes the application of a 20% buffer on a plan-making authority's five-year land supply where housing delivery falls 85% below the required number of homes.
- 5.5 An extract from the HDT 2021 Measurement for St Albans is reproduced below. The measurement currently stands at 69%, resulting in the application of the presumption in favour of sustainable development as set out in the NPPF.

Table 1: Housing Delivery Test: 2021 Measurement

No. of Homes Required			Total Required	No. of Homes Delivered			Total Delivery	Measure
2018-19	2019-20	2020-21		2018-19	2019-20	2020-21		
902	820	595	2317	638	443	516	1596	69%

Source: Department for Levelling Up, Housing and Communities

Recent Housing Delivery

- 5.6 Information relating to the recent delivery of new homes in the St Albans area is contained in the Authority Monitoring Report. This demonstrates that over the past five years the authority has delivered on average 460 dwellings per annum as illustrated below. Consequently, affordable housing delivery has also been low, representing just 20% of the total provision. It will be noted that for the past three years the rates of delivery broadly correspond with the data published by the Department for Levelling Up, Housing and Communities.

¹ The publication of recent data suggests that this requirement has reduced very slightly to 890 dwellings per annum however for the purposes of this study the change does not make a significant difference. See: <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/bulletins/housingaffordabilityinenglandandwales/2021>

Table 2: Housing Completions

Monitoring Year	Dwelling Completions (Net)				Affordable Percentage
	Annual Total	Affordable Housing			
		Policy 7A/8	Other Policy	Total	
2016 / 17	340	38	21	59	17
2017 / 18	385	95	11	106	28
2018 / 19	624	71	11	82	13
2019 / 20	437	24	7	31	7
2020 / 21	516	177	8	169	33
Total	2,302	405	58	447	-
Average	460	81	12	89	20

Source: St Albans City and District Authority Monitoring Report 2021

Housing Trajectory

- 5.7 The NPPF (Paragraph 74) requires local planning authorities to prepare a housing trajectory illustrating the expected rate of housing delivery over the plan period where there is a plan in place. Trajectories are a forward-planning tool designed to monitor and manage the approach to housing delivery by monitoring both past and anticipated completions across time.
- 5.8 Whilst an up-to-date local plan does not exist in St Albans, a housing trajectory is provided as part of the Authority Monitoring Report. It sets out the housing requirements for the next five years', past completion rates, and projected future supply.
- 5.9 According to the Authority Monitoring Report the anticipated five-year land supply (estimated dwelling numbers) is as follows:

Table 3: Five-year Land Supply

Year	Estimated number of dwellings (net)
2021 / 22	430
2022 / 23	507
2023 / 24	682
2024 / 25	416
2025 / 26	315
Total	2,251

Source: St Albans City and District Authority Monitoring Report 2021

- 5.10 Based upon this assessment the Authority Monitoring Report concludes that at a baseline date of 1 April 2021, and including the relevant 20% buffer, there is approximately a 2.2 years' supply available. The Council therefore acknowledges that it cannot demonstrate a five-year housing land supply as set out in paragraph 74 of the NPPF and as such the provisions of paragraph 11(d) and footnote 8 are engaged which states:

11. Plans and decisions should apply a presumption in favour of sustainable development.

For **decision-taking** this means:

- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁷; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.11 The provisions of NPPF have recently been pivotal to the determination of two planning appeals in the St Albans area which are briefly reviewed below.

Recent Planning Appeal Decisions

5.12 The Council's position on the availability of a five-year housing land supply has been subject to discussion at recent public inquiries.

5.13 In relation to the land at Burston Nurseries, North Orbital Road, Chiswell Green, St. Albans (Appeal Ref: APP/B1930/W/21/3279463) it was noted that the housing land supply position stood at 2.4 years and was considerably short of the required five-year supply. Although the proposal was for the development of a retirement community, the Inspector considered the benefits relating to the provision of general and specialist housing weighed substantially in favour of the development. In undertaking the planning balance, he concluded:

“83. Having regard to NPPF paragraph 11(d), due to the absence of a 5 year housing land supply, the application of NPPF policies that protect areas or assets of particular importance such as Green Belt and listed buildings do not provide a clear reason for refusing the development. Any adverse impact of granting permission would not significantly and demonstrably outweigh the benefits when assessed against the NPPF taken as a whole. Therefore, despite some moderate conflict with LP Policies 69 and 70, the development would accord with the NPPF and the development plan taken as a whole. This points towards the grant of planning permission.”

5.14 The appeal was allowed on 31 January 2022.

⁷ The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.

⁸ This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years

5.15 In relation to the land at Roundhouse Farm, Bullens Green Lane, Colney Heath (Appeal Refs: APP/B1930/W/20/3265925 and APP/C1950/W/20/3265926) the Inspector noted that it was common ground that the Council and the adjoining authority (Welwyn Hatfield Borough Council) could not demonstrate a five-year supply of housing sites. Whilst there was some disagreement between the parties on the extent of this shortfall, it is common ground that neither Council could demonstrate a five-year supply of deliverable homes. The position was therefore regarded as bleak by the Inspector with the five-year supply in both local authority areas being just 2.4 and 2.58 years respectively. In commenting further on this position, the Inspector observed:

“49. There is therefore no dispute that given the existing position in both local authority areas, the delivery of housing represents a benefit. Even if the site is not developed within the timeframe envisaged by the appellant, and I can see no compelling reason this would not be achieved, it would nevertheless, when delivered, positively boost the supply within both local authority areas. From the evidence presented in relation to the emerging planning policy position for both authorities, this is not a position on which I would envisage there would be any marked improvement on in the short to medium term. I afford very substantial weight to the provision of market housing which would make a positive contribution to the supply of market housing in both local authority areas.”

5.16 The appeals were allowed on 14 June 2021

St Albans City and District Local Plan 2020-2038

5.17 To address the under supply of housing land and other matters the Council is preparing a new Local Plan 2020-2038. The Local Development Scheme sets out the following indicative timeline however this has recently been subject to review.

5.18 Previously it was envisaged the new Local Plan would be submitted to the Secretary of State for Examination in Spring/Summer 2023 with the aim of having an adopted plan by Winter 2023. This could be delayed though until Spring 2025 with the potential adoption of a new plan by Summer 2026 because of resourcing issues. The five-year housing land supply position is therefore unlikely to improve in the interim period unless more planning applications are determined in accordance with the presumption of sustainable development as set out by national planning policy.

Table 4: Local Development Scheme 2020 - 2023

	Regulation 18 Consultation	Regulation 19 Consultation	Submission	Examination	Adoption
Published Timeline	January / February 2022	November / December 2022	Spring / Summer 2023	Summer / Autumn 2023	Winter 2023
Indicative Timeline	Spring / Summer 2023	Spring / Autumn 2024	Summer 2024 / Spring 2025	Autumn 2024 / Spring 2025	Autumn 2025 / Summer 2026

Source: St Albans City and District Local Development Scheme 2020 – 2023, January 2021

Draft Housing and Economic Land Availability Assessment, 2021/22

- 5.19 To inform the preparation of the new Local Plan the Council has recently completed a Housing and Economic Land Availability Assessment (HELAA). The most recent HELAA was published in 2021 and includes details of:
- All sites submitted via the 'Call for Sites' consultation held between 25 January - 8 March 2021, and
 - Sites previously promoted from 2016 onwards.
- 5.20 The outcome of the assessment has determined the:
- potential urban capacity of the District,
 - suitability, availability, and achievability of sites submitted from 2016 onwards,
 - potential identification of a five-year supply of housing land, and
 - estimated development potential of those sites to meet the needs of the new Local Plan.
- 5.21 The land at Chiswell Green Lane, Chiswell Green is identified as Site STS-10-21 in the HELAA. The initial assessment concludes that the site is potentially suitable for development subject to constraints being reasonably mitigated and the outcome of a Green Belt Review. The overall conclusion for Site STS-10-21 is that it is suitable, available, and achievable subject to further assessment as part of the site selection process. The applicants fully concur with this assessment.

Deliverable Sites

- 5.22 As detailed above, paragraph 74 of the NPPF sets out the requirement to identify and update annually a five-year supply of specific deliverable sites. In the absence of a five-year housing land supply in St Albans it is evident that the land at Chiswell Green Lane, Chiswell Green, would make a valuable contribution to addressing the identified shortfall in the absence of an up-to-date local plan.
- 5.23 The definition of deliverable is set out in Annex 2 of the NPPF.
- “To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years.”
- 5.24 The suitability of the land at Chiswell Green Lane, Chiswell Green, is set out in other documents which support the planning application. In summary, the proposed development would represent a logical extension to Chiswell Green. The site benefits from being in an enclosed position which is naturally protected by existing landscape features that would visually contain any new development but positively contribute to its character. Land would be made available for the construction of a new primary school and the development would contain a mixture of housing types, sizes, and tenures to meet local housing needs. In addition, open space and a network of green links would be provided to extend existing connections and provide dedicated cyclist and pedestrian routes.
- 5.25 Significant planning benefits would therefore flow from the proposed development, supporting the case that Very Special Circumstances exist to release the land from the Green Belt.

6.0 CONCLUDING REMARKS

- 6.1 This study has demonstrated that at a baseline date of 1 April 2021 there was a housing supply shortage in the St Albans area which equated to approximately 2.2 years. Whilst this position has improved slightly to 2.4 years, a point confirmed by recent appeal decisions, the fact remains that St Albans City and District Council is unable to demonstrate a five-year housing land supply.
- 6.2 At present the identified local housing need figure for St Albans is 1,070 dpa (892 dpa plus a 20% Buffer) but based on delivery rates over the past five years an average outturn of 460 dpa has been achieved. This represents a significant under delivery, with a corresponding under-delivery of affordable housing to address local needs.
- 6.3 The proposed development at Chiswell Green Lane, Chiswell Green, would represent a logical extension to the village. The site is available, in an accessible and sustainable location, and would be capable of delivery within the next five years whilst the new Local Plan is prepared.
- 6.4 Accordingly, the presumption in favour of sustainable development as set out by national planning policy is applicable to the proposed development.

