

TOWN AND COUNTRY PLANNING ACT 1990

**AFFORDABLE HOUSING STATEMENT OF COMMON
GROUND IN RESPECT OF AFFORDABLE NEEDS
AND DELIVERY ACROSS THE ST ALBANS CITY AND
DISTRICT COUNCIL ADMINISTRATIVE AREA**

CONJOINED SECTION 78 APPEAL

**Appeal A: Land South of Chiswell Green Lane,
Chiswell Green, St Albans**

**Appeal B: St Stephens Green Farm, Chiswell Green
Lane, St Albans, Hertfordshire**

**On behalf of: Alban Developments Limited, Alban
Peter Pearson, CALA Homes (Chiltern) Ltd and
Redington Capital Ltd, Mr S Collins of Headlands
Way Limited and St Albans City and District Council**

March 2023

Appeal A PINS REF: APP/B1930/W/22/3313110

Appeal A LPA REF: 5/2022/0927

Appeal B PINS REF: APP/B1930/W/22/3312277

Appeal B LPA REF: 5/2021/3194

1.0 Affordable Housing Offer

Appeal A

- 1.1 The appeal proposals seek outline permission for up to 391 dwellings, of which 40% are proposed as affordable homes equivalent to up to 156 affordable homes.
- 1.2 The tenure split of the affordable housing offer will comprise 30% Social Rent, 19% Affordable Rent, 25% First Homes and 26% Intermediate/Shared Ownership properties.

Appeal B

- 1.3 The appeal proposals seek outline permission for up to 330 dwellings, of which 100% are proposed as affordable homes exclusively for Key Workers which will be secured through a Section 106 agreement.
- 1.4 The tenure split of the affordable housing offer will comprise a mix of First Homes, Shared Ownership, and Discount Market Sale properties (all discounted by at least a third of open market value).

2.0 Affordable Housing Needs

South West Hertfordshire Strategic Housing Market Assessment (2016) – CD8.20

- 2.1 The South West Hertfordshire Strategic Housing Market Assessment (“2016 SHMA”) was published in January 2016 and covers the 23 year period 2013 to 2036.
- 2.2 Table 39, on page 112, identifies the affordable housing need in St Albans to be 617 net dwellings per annum, when using the Liverpool approach, equivalent to a total need of 14,191 net affordable dwellings over the 23 year period.
- 2.3 Table 43, on page 120, sets out estimated level of affordable housing need per annum by tenure type. It identifies a net need for 102 intermediate affordable properties and 515 social/affordable rented properties per annum in St Albans.

South West Hertfordshire Local Housing Need Assessment (September 2020) – CD4.60

- 2.4 The South West Hertfordshire Local Housing Need Assessment (“2020 LHNA”) was published in September 2020 and covers 16 year period from 2020 to 2036.
- 2.5 Table 37 on page 89 identifies a net need for 443 net affordable/social rented affordable dwellings per annum, when using the Liverpool approach, equivalent to a total need of 7,088 net affordable dwellings over the 16 year period.

2.6 Table 42 on page 97 identifies a need for 385 net affordable home ownership dwellings per annum, equivalent to a total need of 6,160 net affordable dwellings over the 16 year period.

2.7 In total therefore, there is an objectively assessed need for 828 affordable dwellings per annum in St Albans, equivalent to a total need of 13,248 net affordable dwellings over the 16 year period.

Local Authority Housing Waiting List

2.8 Live Table 600 suggests there were 559 households on the Housing Waiting List as at 31/3/22¹ however this figure specifically excludes² households who are able to afford to rent privately but aspire to own their own home and are unable to afford to do so on the open market.

3.0 Gross Additions to Affordable Housing Stock

3.1 Figure 1 illustrates the gross delivery of affordable housing ("AH") by tenure type across St Albans City and District Council ("SACDC") since 2017/18³.

Figure 1: Gross Additions to Affordable Housing Stock by tenure type, 2017/18 to 2021/22

Monitoring Year	Rented AH Completions (Gross)	AH Ownership Completions (Gross)	Total AH Completions (Gross)
2017/18	101	5	106
2018/19	82	33	115
2019/20	28	3	31
2020/21	170	28	198
2021/22	38	33	71
Total	419	102	521
Avg. Pa.	84	20	104

Source: St Albans City and District Council Authority's Monitoring Reports (2017/18 to 2021/22).

¹ Latest available published data from DLUHC (David Parker appendix 12)

² In accordance with St Albans Housing Allocation Policy February 2021 (David Parker appendix 15)

³ St Albans City and District Council Authority's Monitoring Reports prior to 2016/17 do not breakdown affordable housing completions by tenure type.

3.2 In the five year period between 2017/18 and 2021/22 SACDC delivered 419 gross rented affordable dwellings and 102 gross dwellings for affordable homeownership. Over the period SACDC delivered an average of 104 gross affordable dwellings pa.

4.0 Net of Demolitions Additions to Affordable Housing Stock

4.1 Figure 2 illustrates net of demolitions additions to affordable housing stock since the start of the 2016 SHMA period in 2013/14.

Figure 2: Additions to Affordable Housing Stock (Net of Demolitions), 2013/14 to 2021/22

Monitoring Period	Total Housing Completions (Net)	Additions to AH Stock (Net of Demolitions)	AH as a %age of total completions
2013/14	375	-42	-11%
2014/15	313	70	22%
2015/16	396	97	24%
2016/17	340	59	17%
2017/18	385	106	28%
2018/19	624	82	13%
2019/20	437	31	7%
2020/21	516	169	33%
2021/22	314	71	23%
Total	3,700	643	17%
Avg. Pa.	411	71	

Source: St Albans City and District Council Authority's Monitoring Reports (2014/15 to 2021/22).

4.2 Between 2013/14 and 2021/22, a total of 3,700 dwellings were delivered across SACDC, equivalent to 411 per annum. Of these, 643 dwellings were affordable tenures, equivalent to 71 per annum. This equates to 17% affordable housing delivery net of demolitions.

5.0 Net of Right to Buy Additions to Affordable Housing Stock

5.1 Figure 3 below calculates the affordable housing delivery per annum since the start of the 2016 SHMA period in 2013/14, net of Right to Buy sales and acquisitions.

Figure 3: Net of Right to Buy Additions to Affordable Housing Stock, 2013/14 to 2021/22

Monitoring Period	Total housing completions (Net)	Additions to AH Stock (Net)	LPA Acquisitions	LPA RtB sales	RP RtB sales	Additions to AH Stock (Net of RtB)	Additions to AH Stock (Net of RtB) as a %age of total completions
	A	B	C	D	E	F (B + C) - (D + E)	G (F / A) X 100
2013/14	375	-42	n/a	37	2	-81	-22%
2014/15	313	70	n/a	27	1	42	13%
2015/16	396	97	n/a	24	0	73	18%
2016/17	340	59	n/a	24	13	22	6%
2017/18	385	106	1	20	0	87	23%
2018/19	624	82	18	12	0	88	14%
2019/20	437	31	25	15	0	41	9%
2020/21	516	169	14	11	0	172	33%
2021/22	314	71	0	15	0	56	18%
Total	3,700	643	58	185	16	500	14%
Avg. Pa.	411	71	6	21	2	56	

Source: St Albans City and District Council Authority's Monitoring Reports (2014/15 to 2021/22); Department for Levelling up Homes and Communities Live Tables 691 and 693; and Private Registered Provider Social Housing Stock in England Statistical Data Returns (2011/12 to 2012/22).

5.2 Figure 3 demonstrates that, on average between 2013/14 and 2021/22, SACDC has added 56 affordable dwellings per annum net of Right to Buy sales and acquisitions, equivalent to 14% of the total average number of net housing completions.

6.0 Net of Right to Buy Additions to Affordable Housing Stock Compared to Net Affordable Housing Needs

6.1 Figure 4 illustrates net of Right to Buy affordable housing additions compared to the affordable housing need of 617 net affordable dwellings per annum between 2013/14 and 2021/22, as set out in the 2016 SHMA.

Figure 4: Net of Right to Buy Additions to Affordable Housing Stock vs Needs Identified in the 2016 SHMA, 2013/14 to 2021/22

Monitoring Period	Additions to AH Stock (Net of RtB)	2016 SHMA AH Needs Per Annum (Net)	Annual Shortfall	Cumulative Shortfall	Additions as a %age of Needs
2013/14	-81	617	-698	-698	-13%
2014/15	42	617	-575	-1,273	7%
2015/16	73	617	-544	-1,817	12%
2016/17	22	617	-595	-2,412	4%
2017/18	87	617	-530	-2,942	14%
2018/19	88	617	-529	-3,471	14%
2019/20	41	617	-576	-4,047	7%
2020/21	172	617	-445	-4,492	28%
2021/22	56	617	-561	-5,053	9%
Total	500	5,553	-5,053		9%
Avg. Pa.	56	617	-561		

Source: St Albans City and District Council Authority's Monitoring Reports (2014/15 to 2021/22); Department for Levelling up Homes and Communities Live Tables 691 and 693; Private Registered Provider Social Housing Stock in England Statistical Data Returns (2011/12 to 2012/22) and South West Hertfordshire Strategic Housing Market Assessment (2016).

6.2 Since the start of the 2016 SHMA period in 2013/14, affordable housing completions (net of Right to Buy) have averaged 56 net affordable dwellings per annum, against a need of 617 net affordable dwellings per annum.

- 6.3 A shortfall of -5,053 affordable dwellings has arisen over the nine-year period, equivalent to an average annual shortfall of -561 affordable dwellings.
- 6.4 Figure 5 illustrates net of Right to Buy affordable housing delivery compared to the affordable housing need of 828 net affordable dwellings per annum between 2020/21 and 2021/22, as set out in the 2020 LHNA.

Figure 5: Net of Right to Buy Additions to Affordable Housing Stock vs Needs Identified in the 2020 LHNA, 2020/21 to 2021/22

Monitoring Period	Additions to AH Stock (Net of RtB)	2020 LHNA AH Needs Per Annum (Net)	Annual Shortfall	Cumulative Shortfall	Additions as a %age of Needs
2020/21	172	828	-656	-656	21%
2021/22	56	828	-772	-1,428	7%
Total	228	1,656	-1,428		14%
Avg. Pa.	114	828	-714		

Source: St Albans City and District Council Authority's Monitoring Reports (2014/15 to 2021/22); Department for Levelling up Homes and Communities Live Tables 691 and 693; Private Registered Provider Social Housing Stock in England Statistical Data Returns (2011/12 to 2012/22) and South West Hertfordshire Local Housing Need Assessment (September 2020)

- 6.5 Since the start of the 2020 LHNA period in 2020/21, affordable housing completions (net of Right to Buy) have averaged 114 affordable dwellings per annum, against a need of 828 net affordable dwellings per annum.
- 6.6 A shortfall of -1,428 affordable dwellings has arisen in the first two years of the 2020 LHNA period, equivalent to -714 per annum.
- 7.0 Addressing the Shortfall in Affordable Housing Delivery**
- 7.1 It is considered that any shortfall in delivery should be dealt with within the next five years. This is also an approach set out within the PPG⁴ and endorsed at appeal (CD9.17).
- 7.2 When the -1,428 dwelling affordable housing shortfall which has accumulated since 2020/21 is factored into the 2020 LHNAs identified need of 828 affordable homes per annum for the period 2020 to 2036, the number of affordable homes the Council will

⁴ Paragraph: 035 Reference ID: 3-035-20140306

need to complete increases to 1,114 net affordable homes per annum for the period 2022/23 to 2026/27.

- 7.3 This would ensure that for the remainder of the period to 2036 the annual affordable housing need reduces to 828 per annum to deal solely with newly arising needs.

8.0 Future Supply of Affordable Housing

- 8.1 The Councils latest Five Year Housing Land Supply ("5YHLS") position, covering the period 1 April 2022 to 31 March 2027, is contained within in its Authority's Monitoring Report (CD8.7) published in February 2022.
- 8.2 For the purpose of this Statement, future affordable housing delivery has been calculated using the sites included in the supply above five dwellings as they are considered to qualify for affordable housing contributions. A full breakdown is available at **Appendix AG2**.
- 8.3 Unfortunately, there is no publicly available information breaking down the split in completions between market and affordable housing. The future supply analysis has therefore been based on the assumption that all of the affordable housing units are still to be built.
- 8.4 Of the 1,607⁵ committed dwellings included in the Council's latest 5YHLS, it is considered that 941 dwellings across 24 sites will come forwards on sites eligible for affordable housing, i.e., those above the five dwelling threshold.
- 8.5 Following a review of each of the applications on these 24 sites, the SACDC have committed sites which will deliver 260 gross affordable dwellings over the five-year period, equating to 52⁶ gross affordable homes per annum.
- 8.6 In addition to the on-site delivery, it is important to note that £1,190,942 in off-site affordable housing contributions will be collected from three qualifying sites in the Council's latest 5YHLS in lieu of providing affordable housing on-site.
- 8.7 The published Government consultation (August 2018) on the "*Use of receipts from Right to Buy sales*" (CD7.4), which indicated that the cost of building an affordable home in the Midlands⁷ to be £132,000. Based on the total of £1,190,942 collected, this would deliver just 9⁸ additional affordable homes across the five-year period.

⁵ 1,607 dwellings – 8 dwellings (5% small sites discount) + 546 dwellings (windfall allowance) = 2,145 dwellings

⁶ 260 / 5 years = 51.96 dwellings

⁷ The Midlands figure has been used as the consultation does not provide a figure for the East of England

⁸ £1,190,942 / £132,000 = 9.02 dwellings

- 8.8 Therefore, if the additional affordable homes to be delivered through the commuted payments were also to be delivered within the five-year period, delivery in addition to the 260 gross affordable dwellings in the supply this would total 269 gross affordable dwellings, i.e., a total of 54⁹ per annum.
- 8.9 It should be noted that these figures fail to take account of losses to affordable housing stock through the Right to Buy. If the losses experienced by St Albans continue at the prevailing average rate over the past five years, it is likely that the Council will lose around 73 affordable dwellings from the supply (see Figure 3¹⁰), equivalent to 15 losses per annum.
- 8.10 When the effect of these losses is taken account, the Council's supply figure for the next five years falls to 39 affordable dwellings per annum.
- 8.11 Figure 6 shows that the projected delivery of 39 net affordable dwellings per annum falls short of the 828 affordable dwellings per annum required by the 2020 LHNA.

Figure 6: Projected Affordable Housing Additions Compared to 2020 LHNA Identified Needs

Monitoring Period	Net AH Additions		AH Need – 2020 LHNA	Shortfall	Cumulative Shortfall
	Actual	Projected			
2020/21	172		828	-656	-656
2021/22	56		828	-772	-1,428
2022/23		39	828	-789	-2,217
2023/24		39	828	-789	-3,006
2024/25		39	828	-789	-3,795
2025/26		39	828	-789	-4,584
2026/27		39	828	-789	-5,373
Total	423		5,796	-5,373	

Source: St Albans City and District Council Authority's Monitoring Reports (2014/15 to 2021/22); Department for Levelling up Homes and Communities Live Tables 691 and 693; Private Registered Provider Social Housing Stock in England Statistical Data Returns (2011/12 to 2012/22) and South West Hertfordshire Local Housing Need Assessment (September 2020)

- 8.12 The Council's future supply figure derived from the analysis also falls short of the 1,114 per annum figure required when back log needs are addressed in the first five years, in line with the Sedgefield approach.

⁹ 269 / 5 years = 53.8 dwellings pa

¹⁰ 20 + 12 + 15 + 11 + 15 = 73 / 5 years = 14.6 dwellings pa

9.0 Agreement of the Parties

- 9.1 The parties agree that the 2016 SHMA identifies an affordable housing need of 617 net dwellings per annum for the period 2013 to 2036 across SACDC, when using the Liverpool approach, broken down as 102 intermediate affordable properties and 515 social/affordable rented properties per annum.
- 9.2 The parties agree that the 2020 LHNA identifies an affordable housing need of 828 net dwellings per annum for the period 2020 to 2036 across SACDC, when using the Liverpool approach, broken down as 385 affordable home ownership affordable properties and 443 social/affordable rented properties per annum.
- 9.3 The parties agree that in the five year period between 2017/18 and 2021/22 SACDC delivered 419 gross rented affordable dwellings and 102 gross dwellings for affordable homeownership.
- 9.4 The parties agree between 2013/14 and 2021/22, a total of 3,700 net dwellings were delivered across SACDC, equivalent to 411 per annum. Of these, 643 dwellings were affordable tenures (net of demolitions), equivalent to 71 per annum. This equates to 17% affordable housing delivery.
- 9.5 The parties agree that on average between 2013/14 and 2021/22, SACDC has added 56 affordable dwellings per annum net of Right to Buy sales and acquisitions, equivalent to 14% of the total average number of net housing completions.
- 9.6 The parties agree that since the start of the 2016 SHMA period in 2013/14, shortfall of -5,053 affordable dwellings has arisen, equivalent to an average annual shortfall of -561 affordable dwellings.
- 9.7 The parties agree that since the start of the 2020 LHNA period in 2020/21, a shortfall of -1,428 affordable dwellings has arisen, equivalent to average annual shortfall of -714 per annum.
- 9.8 The parties agree that any shortfall in delivery should be dealt with within the next five years.
- 9.9 The parties agree that when the -1,428 dwelling affordable housing shortfall which has accumulated since 2020/21 is factored into the 2020 LHNAs identified need of 828 affordable homes per annum for the period 2020 to 2036, the number of affordable homes the Council will need to complete increases to 1,114 net affordable homes per annum for the period 2022/23 to 2026/27.

- 9.10 The parties agree that the council's estimated supply of affordable dwellings for the period 1 April 2022 to 31 March 2027 is 39 net affordable dwellings per annum.
- 9.11 The parties agree that the council's estimated supply of affordable dwellings for the period 1 April 2022 to 31 March 2027 falls short of the 828 affordable dwellings per annum required by the 2020 LHNA.
- 9.12 The parties agree that the council's estimated supply of affordable dwellings for the period 1 April 2022 to 31 March 2027 falls short of the 1,114 per annum figure required when back log needs are addressed in the first five years, in line with the Sedgefield approach.
- 9.13 The parties agree there is an acute national housing crisis.
- 9.14 The parties agree there is an acute need for affordable housing across SACDC and annual needs are far greater than what has been provided to date .
- 9.15 The parties agree that the provision of up to 156 affordable units at appeal site A is a material consideration weighing in favour of the appeal.
- 9.16 The parties agree that the provision of up to 330 affordable units at appeal site B is a material consideration weighing in favour of the appeal.
- 9.17 The Council accepts that the benefits arising from providing affordable housing accords with the sustainable development definition in NPPF and the provision of the much-needed affordable housing, to deal with the identified need, is a considerable benefit weighing in favour of the development.
- 9.18 In relation to the 'south site' the Council & the Appellants agree that the provision of affordable housing as proposed should be accorded Very Substantial weight in the planning balance. In relation to the 'north site' the parties disagree on the weight to be afforded to the provision of affordable housing as proposed in the planning balance.

**Signed on behalf of the
LPA:**



Signature:

Name: Stephen Connell

Date: 05/04/2023

**Signed on behalf of the
Appeal A Appellant:**



Signature:

Name: D. Parker

Date: 5/4/23

**Signed on behalf of the
Appeal B Appellant:**



Signature:

Name: A. Gingell

Date: 06/04/23

