

ADDISON PARK

SECTION 78 APPEAL BY HEADLANDS WAY LIMITED

LAND NORTH OF CHISWELL GREEN LANE, CHISWELL GREEN, ST ALBANS

Planning Inspectorate Ref: APP/B1930/W/22/3312277

LPA Ref: 5/2021/3194

OPENING SUBMISSIONS ON BEHALF OF THE APPELLANT

1. "Addison Park" is named after, and inspired by, the Minister for Health who brought in the first Housing and Town Planning Act, a response to the nation's demand for homes fit for heroes following the Great War. That Act made the provision of housing a national responsibility and gave Local Authorities the task of developing new housing where it was needed by working people.
2. Addison Park will do just that, delivering 330 affordable homes for today's heroes, those who fought on the frontline against the Covid pandemic, offering routes to home ownership to those essential local workers who are ineligible for social rented housing in St Albans, but cannot afford to buy a home of their own in the city in which they work. It is a proposal precisely as anticipated by the definition of "affordable housing" in the NPPF:

"Affordable housing is ... housing for sale ... for those whose needs are not met by the market ... including housing that provides a subsidised route to home ownership and/or is for essential local workers."

3. But Addison Park will not just offer affordable homes to some of the most valuable members society, it will also make substantial steps towards helping St Albans City & District Council out of a series of housing crises which it has proved incapable of

addressing itself, all of them a direct consequence of the Council's failure to adopt an up-to-date Local Plan.

4. Ours is meant to be a genuinely Plan-led system (NPPF paragraph 15), with Local Plans reviewed every 5 Years (NPPF paragraph 33). St Albans, however, seems to want to operate in a different planning universe altogether. Here, the Local Plan is almost three decades old and effectively expired in 2001. The Green Belt boundaries have not been revised since 1985 and there are no up-to-date housing targets or undeveloped allocations. Far from providing "a positive vision for the future" or "a framework for addressing housing needs" (NPPF paragraph 15), the Local Plan in St Albans provides no vision for the future whatsoever; and contains no framework at all for addressing current housing needs, let alone those needs looking forward.

5. As you will hear in the evidence of Mr Parker, the antiquity of the extant Local Plan is a direct consequence of the repeated failure of the Council to fulfil its statutory duty to adopt a replacement Local Plan. Four attempts have been made and none of them have come to anything:
 - a. The Local Development Framework Core Strategy 2006-2021 was withdrawn in January 2020;

 - b. The Strategic Local Plan 2011-2031 (Version 1) was voted down 2013;

 - c. The Strategic Local Plan 2011-2031 (Version 2) was found unlawful by the Examining Inspector for failure to co-operate 2016; and

 - d. The Local Plan (2020-2036) was withdrawn in 2020, on the invitation of Examining Inspectors who determined there had been yet another failure to co-operate, alongside a flawed Green Belt Review.

6. And now there has now been further slippage in the timeline to the adoption of a replacement Local Plan. The Council's December 2020 Local Development Scheme (LDS) promised a Regulation 18 consultation from January/February 2022, and adoption in 2023; but the Council's September 2022 LDS put back the Regulation 18 consultation to July/September 2023, with adoption in late 2025. That means that there will be no new housing allocations in St Albans until the end of 2025 at the earliest, and the actual delivery of housing some years later still.
7. The direct consequence of the Council's failure to adopt new housing allocations in line with the NPPF is nothing less than a housing crisis in St Albans, and an affordable housing emergency:
 - a. When paragraph 74 of the NPPF requires Councils to have a 5-year housing land supply (5 YHLS), St Albans has been unable to satisfy that requirement for a decade and, currently, can demonstrate just 2 YHLS - not even half the requirement and the worst housing position in St Albans since the extant Local Plan was adopted; and
 - b. With demand increasingly outstripping supply, the 'house price to earnings affordability ratio' in St Albans has grown higher and higher: in 2004, it was 10.28 – already the highest in the East of England; by 2010, it had grown to 12.36; by 2012, it had grown yet further to 12.47; by 2017, it was 16.62; and in May 2021, it was 17.32. To put that into context, it means that individuals on median incomes need to find more than 17 times their annual salary to buy a median priced property in St Albans.
8. Moreover, given that the only model St Albans has for the delivery of affordable housing is for it to come alongside open market housing, on an aspirational (but undelivered) 60:40 split, it necessarily follows that, along with a massive shortfall in open market housing, comes a massive shortfall of affordable housing also, and a crisis in that regard as well.

9. The figures are agreed, and they are shocking:
 - a. The shortfall is such that the Council will need to deliver 5,570 affordable homes in the five-year period from 2022/23 to 2026/27, or 1,114 per annum;
 - b. However, the Council's supply figure for the next five years is just 39 net affordable dwellings per annum, which means (unless something radical is done) an anticipated, cumulative, shortfall of 5,373 affordable dwellings over that five-year period – put bluntly, the future supply of affordable housing in St Albans has all but collapsed; and
 - c. That shortfall in affordable housing is across all tenures, including affordable home ownership – there has been a shortfall of (at least) 712 gross affordable home ownership dwellings in the first two years alone, of the period covered by the Council's 2020 Local Housing Needs Assessment.

10. However, those agreed figures, shocking though they are, do not tell the full tale in a District which prioritises houses for the very wealthy, in its vain attempt to deliver some houses for the very poor: they hide the brutal reality which faces those households whose earnings are too high to make them eligible to apply for affordable social rented accommodation, but too low to enable them to buy. As we will come onto in the evidence of Ms Gingell and Mr Parker:
 - a. If a household's combined income (and I stress *combined*) exceeds £70,000, that household has no access to affordable housing for rent in St Albans (and a household income of just £50,000 excludes access to even 2-bed housing);
 - b. However, home ownership would also be unaffordable for a household earning between £50,000 and £70,000 – for them, the property ladder in St Albans is simply out of reach also; and

- c. More worrying still, there are a huge number of Key Worker households in that position (up to 27,000 in St Albans alone, and 250,000 in the county) –essential local workers, the very people on whom St Albans depends, who simply cannot afford to live in the city that they serve.
11. It is those Key Worker households, ineligible for social rented housing and unable to buy at open market prices, at which Addison Park is directed, delivering 330 affordable homes, in a mixed tenure development, all discounted by at least 33%; and discounted not against the median price of the especially expensive part of St Albans in which the Appeal Site is located, but discounted against the lower median price of St Albans as a whole.
12. As Ms Gingell will comprehensively prove, discounts on that scale will bring home ownership back into reach for many of those Key Worker households who, currently, cannot buy a home of their home near to where they work. And in so doing, Addison Park will not only begin to meet the needs of those Key Workers and their families, aiding their recruitment and retention in the essential services for which they work, but help to redress a fundamental imbalance in the local community also – a place where, right now, many essential local workers simply cannot afford to live.
13. Delivering those homes, at that discount, will, of course, directly accord with the St Stephen Neighbourhood Plan, that part of the Development Plan for St Albans which is up-to-date, and which is most directly applicable to the Appeal Site. That Neighbourhood Plan expressly recognises that the high cost of property makes it increasingly difficult to move into, and remain in, the area; and the Plan’s first objective is to encourage housing that meets an identified need for “local workers”. Given that “essential local workers” are the only group specified in the NPPF definition of “affordable housing”, that must include encouraging affordable housing for them.

14. If the objective of planning is to build the right homes, for the right people, and in the right place, Addison Park ticks all three boxes – they are “the right homes”, because they are affordable; they are for “the right people”, because they are for essential local workers; and they will house them in “the right place”, because they will house them locally, and not just locally but:
 - a. In a sustainable location, within ready walking distance to local amenities and facilities, including 5 bus stops;
 - b. On an Appeal Site which is not a valued landscape; and
 - c. Pursuant to an Appeal Scheme to which there is no objection on highways grounds.
15. True it is that the Appeal Site is in the Green Belt. However, the housing shortage in St Albans, and the affordable housing emergency, is so acute that the Council has long-since acknowledged that there are exceptional circumstances to justify removal of land from the Green Belt (NPPF paragraph 140). However, following the Council’s recidivist failure to replace its Local Plan, the ancient Green Belt boundaries remain unchanged. That means that, until the end of 2025 at the very earliest, the shortfalls in both housing land supply and affordable housing can only be met through accepting that meeting unmet needs in St Albans amounts to “very special circumstances” justifying the grant of planning permission in the Green Belt (NPPF paragraph 147).
16. That, of course, is what was decided by Inspector Masters in the recent appeal on a Green Belt site off Bullens Green Lane, Colney Heath; and it is what the Council itself decided with regard to a housing development on land to rear of 112-156b Harpenden Road. If, in those cases, the provision of considerably fewer affordable homes, both in absolute numbers and percentage terms also, amounted to benefits to which “very substantial weight” was accorded, sufficient to amount to very special circumstances,

then the provision of 330 homes, all of them affordable, and all of them for Key Workers, must amount to very, very special circumstances indeed.

17. And yet, whilst concluding that very special circumstances do exist when the majority of houses are so expensive as to be out of reach of many local people, the Council has been fiercely opposed to this unique opportunity to help essential local workers from day one – which is, perhaps, only to be expected from a Council that has never even attempted to measure the housing need of Key Workers, and last year dropped a brief flirtation with the idea like a hot potato:
 - a. First, the Council sought to remove any reference to Key Workers and military personnel from the scheme's description;
 - b. Then, having ignored the Key Worker Housing Needs Assessment submitted with the application, the Council sought to exclude Key Worker housing from the draft S106;
 - c. More recently, it has sought to rely only on a limited selection of Key Worker salaries only, and ignore the fact that most mortgages involve combined incomes, to allege that, despite being heavily discounted, the homes at Addison Park would be unaffordable;
 - d. Last week, the Council even questioned whether military personnel, veterans, and service families, should buy a home in St Albans, which has no military bases, when it must know that there is no local connection criteria for these brave men and women to qualify for First Homes; and
 - e. Finally, having criticised Addison Park both for being a 100% affordable housing scheme, and for being unaffordable for Key Workers even when discounted by at least a third, last month the Council celebrated its role in Jubilee Square - a scheme of 100% affordable housing which the Council claim

would be affordable for Key Workers even though they will not be discounted by a penny, and even though Key Workers will not be prioritised as they will at Addison Park.

18. For all these reasons, and in light of the evidence that you will hear over the coming days, I shall in due course respectfully request that this appeal be allowed.

Paul Stinchcombe KC
39 Essex Chambers
81 Chancery Lane
London WC2A 1DD

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