

MATTER 3:

SPATIAL STRATEGY

St Albans Local Plan Examination in Public Hearings

SUBMITTED ON BEHALF OF STACKBOURNE LIMITED

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1 INTRODUCTION

- 1.1 This statement has been prepared on behalf of Stackbourne Ltd, the freeholder and promoter for land at Smallford Works, Smallford.
- 1.2 This Statement is made in response to the published 'Matters, Issues and Questions'. This Statement covers those questions posed within Matter 3 – The Spatial Strategy, Settlement Hierarchy and Development Strategy (Policies S1 and S2).
- 1.3 Stackbourne Ltd has submitted an outline application (Ref: 5/2019/3022) for up to 100 dwellings for land at Smallford Works, demonstrating that there are no technical constraints to the delivery of the site, the principle of residential development for up to 100 dwellings can be considered acceptable when assessed against the policies of the NPPF, and there are significant benefits that would result from its redevelopment, including:
- Environmental enhancements from the clean-up of intensive industrial uses to that of residential, including a significant increase in green infrastructure;
 - Fewer overall trips at peak AM, PM and throughout the day compared to the existing use, including the removal of a significant number of HGV trips throughout the day; and
 - The provision of much needed market and affordable housing in an area of historic significant shortfall in housing delivery and some of the worst affordability for local residents in the country.
- 1.4 This Hearing Statement raises concerns with the assessment process the Council has taken in developing its Spatial Strategy, including:
- Omitting Smallford Works from its “baseline” position that was to include the redevelopment of previously developed land in the Green Belt; and
 - Applying an unjustified and arbitrary 500 dwelling threshold to sites assessment.

2 THE SPATIAL STRATEGY

Q1. What is the basis for the overall spatial strategy and broad distribution of growth set out in policy S1? What options were considered and why was this chosen?

Q8. Should the Plan include some small and medium size sites in order to provide greater choice and flexibility and accord with NPPF paragraph 68?

- 2.1 The production of the Local Plan has run over a number of Plan-making cycles. The Sustainability Appraisal details how the assessment of spatial strategy options dates back to 2006 and the assessment of Issues and Options for three Development Plan Documents (Core Strategy, Site Allocations, Development Control Policies).
- 2.2 In reality, a number of these consultations failed to accurately reflect the later assessment of development needs taken forward into the submitted Local Plan. As an example, the Spatial Strategy Options for Growth (September 2010) considered three Spatial Strategy Housing Growth Options, two at 360 dwellings per annum (dpa), and one at a stepped trajectory averaging 448 dpa. In the end, none of the three options considered at this stage were taken forward to the next stage of consultation on the Core Strategy. Instead, a lower level of 250 dwellings per annum was considered by the Council to be the most appropriate to meet the requirements of delivering 100 affordable houses per annum, whilst at the same time continuing to protect the District's Green Belt. This compares to a local housing need figure of 913 dpa used in the submission Local Plan.
- 2.3 The predominant driver during the 2010 consultation and assumption to see 100 affordable housing dwellings delivered per annum. There is no explanation why the 100 dpa threshold was established as this was significantly below the assessed need of the time. In reality, it reflected the level of development in Green Belt limited to Previously Developed Land (PDL)¹, though failed to identify the Smallford Works PDL site at this time.
- 2.4 The Draft Strategic Local Plan – November 2012 identified three broad locations to help deliver 250 dpa across the plan period:
 - Harperbury Hospital/Kingsley;
 - Oaklands; and
 - BRE Bricket Wood.

¹ See page 34, bullet 6 of the SA and 1.1.1.21 of the appendix E6 to the SA.

These were supported by eight alternative broad locations using the same methodology as for those Broad Locations that were included in the Draft Strategic Local Plan:

- Land East of Redbourn;
- Nicholas Breakspear School Playing Fields;
- Land South West of St Albans;
- Land North of Harpenden;
- Land West of Cherry Tree Lane, Hemel Hempstead (at Spencer's Park);
- Land North East of Hemel Hempstead, East of Cherry Tree Lane;
- Land West of Chiswell Green; and
- Land at Mayne Avenue Bedmond Lane.

- 2.5 The selection of the Broad Locations at this time are not understood to have been informed by a Green Belt Assessment and indeed, the publication of the Draft Plan was delayed in order to carry out a Strategic Green Belt Assessment.
- 2.6 In 2013 the Council commissioned SKM to undertake a Green Belt Sites and Boundaries Study. As is detailed in our Matter 4 Hearing Statement, it is apparent that this was not undertaken with objectivity but appears instead to have been an ex-poste facto exercise to justify decisions already made, which were not informed by the evidence and in many instances run directly against the evidence. It is of little coincidence that the findings of the SKM reflect the broad locations originally chosen by the Council prior to its commission.
- 2.7 Officers then undertook an assessment of the proposed strategic sub-areas, reinforcing their own conclusions and failing to assess reasonable alternatives to these. This is a fundamental and critical failure of the process which is irrecoverable in the context of the Regulations.
- 2.8 The SA Appendix E8-6 then details that Development Strategy Options were assessed with a baseline for all options being the provision of housing through: completions from the 2011 plan base date; currently identified land supply in the form of planning permissions; general urban capacity; and some limited recycling of Previously Developed Land (PDL) in the Green Belt. This again did not include or even consider land at Smallford Works and thus the process runs directly contrary to the requirements of NPPF paragraph 137a).
- 2.9 Again, the flawed SKM work is heavily relied upon, though it is appreciated that more work would be required in relation to Option 1b to fully understand the impact of allocating a greater number of smaller sites.
- 2.10 Following the withdrawal of the Strategic Local Plan from Examination, the Council began a new process of producing a Local Plan in 2017. However, the Council still relied on a SA Scoping Report

published in December 2015, which accompanied the Publication version of the Strategic Local Plan. This helped form SA Objectives against which the Local Plan objectives and future site allocations would be assessed against. As a consequence it is incumbent on the forthcoming Examination to consider the document as part of the evidence supporting the draft Plan.

- 2.11 The January 2018 Regulation 18 consultation then considered five options for delivering 9,000 to 10,000 homes identified to be required over the plan period, “over and above the 5,000 ‘business as usual’ dwellings”. It is unclear whether this 5,000 dwellings included PDL within the Green Belt, as was previously assumed as part of the baseline. We do know that this did not include the PDL site at Smallford Works.
- 2.12 The Council then reverts back to the 2014 assessment of Development Strategy Options detailed at 2.8. However, this was undertaken under a vastly different context of objectively assessed housing need, with no further reasonable alternatives derived from this new understanding of need. It is accepted at paragraph 4.3.3.3 of Appendix E11-13 to the SA that no new assessment of sites or wider broad locations was undertaken at this stage and deferred to the production of the Publication Local Plan.
- 2.13 A final stage of Plan production then incorporated two additional assessments of reasonable alternatives. The first looked again at a range of housing growth options, from 200 dpa to 1,200 dpa. The second stage considered 12 Broad Locations in the Green Belt, identified following a three stage site selection process undertaken by the Council following the Call for Sites that was undertaken in early 2018². This three stage process comprised:
- Stage 1
 - 1. Green Belt Review (GBR) evaluation
 - Stage 2
 - 2. Suitability
 - 3. Availability
 - Stage 3
 - 4. Unique contribution to improve public services and facilities
 - 5. Unique contribution to enhancing local high quality job opportunities
 - 6. Unique contribution to other infrastructure provision or community
 - 7. Deliverable / Achievable
 - 8. Overall Evaluation

² For clarity, Smallford Works was submitted to this Call for Sites process. The relevant documentation is included at Appendix B of our Matter 6 Hearing Statement.

- 2.14 Seventy sites capable of accommodating residential development of a minimum of circa 500 dwellings or 14 hectares of developable land were considered at Stage 1, with the 12 Broad Locations passing this first stage. This arbitrary threshold of 500 dwellings is entirely unjustified, is contrary to NPPF 137a) and has not been explained at any point in the SA process.
- 2.15 We are left to assume that this reflects the conclusion that a combination of Development Strategy Options Option 1a – Mixed Location / Scale Development and Option 3 Concentrated Development would be the preference for meeting need in the Plan³. In short, this would combine the baseline position, which includes PDL in the Green Belt, with a very large allocation east of Hemel Hempstead, with limited releases elsewhere. It is noted that Option 1a sought *“a combination of limited releases from the SKM recommendations list to meet shorter term needs and development of east Hemel Hempstead in the medium and long term.”*
- 2.16 There are many benefits that can be associated with the delivery of large, strategic sites such as those over 500 dwellings (e.g. 500 dwellings might be the threshold at which a primary school can be delivered). However, this has not been explained.
- 2.17 One benefit that does not result from developments of 500+ dwellings is a short lead-in to delivery that can help meet shorter term needs, as sought by Option 1a detailed above. The Lichfields paper “Start to Finish” looked at lead-in times and build out rates for 70 sites of 500+ dwellings, as well as 83 ‘small sites’ of 50-499 dwellings. In regard to lead-in times, this concluded that from the date of validation of an application the period to the delivery of the first unit on site increases with larger sites; with the total period for sites over 500 units being in the order of 5.3 – 6.9 years. This is particularly true where sites are constrained by complex planning issues such as environmental constraints and/or infrastructure provision. This concludes *“Large sites are typically not quick to deliver; in the absence of a live [consented] planning application, they are, on average, unlikely to be contributing to five year housing land supply calculations.”*
- 2.18 This is crucial in the production of a Local Plan that is required to deliver the full objectively assessed need for homes. The Council has presided over a sustained, significant shortfall of housing delivery against need, resulting in the latest affordability ratios for the District showing that median house prices are 16.81 times that of median household incomes, placing it as the fourth least affordable local authority nationally, outside of London. This has doubled since the turn of the century and is up from 11.09 at pre-crash (2007) levels. This means that residents in St Albans will have to earn double what they did in the year 2000 in order to afford a home. Nowhere in the UK is the extent of the affordability and housing crisis more acute.

³ See explanation to Table 10 at E11-12 of Appendix E to the SA.

- 2.19 The situation is even more dire for those most in need of housing. Taking median house prices against median household incomes for the lower quartile, the affordability ratio is even higher at 17.68 times. This reflects the delivery of just 290 net additional affordable units over the last five years (58/annum). This compares to prevailing targets to deliver approximately 365 affordable unit per annum and the SHMA that suggests the actual need is in excess of 685 dpa⁴. It demonstrates that the Council has delivered less than 10% of the actual need for affordable housing over recent years.
- 2.20 The approach of Guildford Borough Council into the preparation of its Local Plan was similar to that being Examined here; a largely Green Belt authority with a major urban centre and long history of under-delivery of housing resulting in worsening affordability⁵, relying on a small number of strategic developments.
- 2.21 That Inspector sought to address the worsening affordability by requiring the Council to identify smaller sites that could be delivered in the early years of the Plan and contribute to creating a robust five year housing land supply from the outset of the Local Plan. A similar approach is needed here.
- 2.22 It is clear that the Council has not taken account of paragraph 68 of the NPPF that recognises the contribution small and medium sites can make towards meeting a housing requirement.

Q9. Does this strategy rely on windfall housing and if so, is this made clear in the Plan and is it based on the advice in paragraph 70 of the NPPF?

- 2.23 The Local Plan is reliant on the delivery of a windfall of 105 dpa across the Plan period, resulting in a total anticipated supply of 1,670 dwellings over the Plan period. However, this is not detailed at any point within the Local Plan, including Policies S1 and S2 and is relegated to just being set out within the housing trajectory at Appendix 2.
- 2.24 Paragraph 70 of the NPPF states *“Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.”*
- 2.25 The figure of 105 dpa is entirely unjustified and runs contrary to the available evidence. This does not even include an allowance for “SHLAA sites and other sites”, totalling a further 273 dwellings, “Council owned sites” totalling 260 dwellings, sites yet to secure any accepted principle of

⁴ Appendix 6 of the New Local Plan states that the SHMA shows more than 75% of all housing need is for affordable homes.

⁵ Affordability ratio in Guildford is 12.53 compared to 16.81 in St Albans.

development⁶, totalling 364 dwellings, and a further 880 dwellings through a range of “Delivering Urban Optimisation” sites, old allocations that are highly unlikely to be delivered if they haven’t to-date, all of which should all be contained within the windfall provision. All in, we find the Council’s windfall supply to comprise some 3,487 dwellings, or 232 dpa over the period 2020/21-2035/36.

- 2.26 It is difficult to judge the Council’s ability to deliver windfall development within the context of having an adopted Local Plan, as one has not been produced since 1994. Arguably all delivery of housing in the Council area constitutes windfall in this context but it cannot be assumed that this will continue.
- 2.27 In any event, there should not be any windfall allowance assumed for the first three years of the Plan, this will avoid the risk of double counting from existing commitments.
- 2.28 In reality, the Council has failed to identify sufficient small and medium sites for allocation that would normally go towards forming a robust five year housing land supply and help address worsening affordability in the short term. To counter this, an unreasonable and unjustified windfall figure has been apportioned, on top of other assumed commitments that would usually count towards this supply.
- 2.29 A sound alternative would have been for the Council to identify sites that largely accord with their Spatial Strategy already. This includes Smallford Works, which comprises PDL in the Green Belt and is deliverable for approximately 100 dwellings. The benefits of the scheme are justified against national policy and would make a significant contribution to the Council’s housing supply in the first five years of the Plan. It is feasible that the Smallford Works site is considered by the Council to be windfall, but in the context of the ability and benefits of allocating suitable, available and deliverable sites within the Local Plan, the opportunity to do so in accordance with NPPF paragraph 137a) should not be missed.

⁶ This takes the assumed “application submitted” and “pre-application discussions occurring”.