

**MATTER 3: THE SPATIAL STRATEGY,
SETTLEMENT HIERARCHY AND DEVELOPMENT
STRATEGY (POLICIES S1 AND S2)**

**HEARING POSITION STATEMENT SUBMITTED ON BEHALF OF
BURHILL DEVELOPMENTS LTD**

St Albans City & District Council – Local Plan Examination in Public

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1 INTRODUCTION

- 1.1 This Hearing Statement has been prepared in response to the Inspector's published 'Matters, Issues and Questions' (MIQs) on behalf of Burhill Developments Limited (BDL) who own both Aldwickbury Park Golf Club and Redbourn Golf Club. On behalf of BDL, we have promoted both sites for residential development to each stage of the emerging Local Plan and most recently, the Regulation 19 (Publication Draft) (October 2018) where comment was made on the soundness of the spatial strategy within the Plan and matters of its legal compliance. This submission must be read in the context of, and in conjunction with those duly made representations.
- 1.2 Whilst we confirm BDL considers both sites are available, suitable, viable and deliverable for residential development now, Aldwickbury Park Golf Club (the 'Site') is considered to be particularly well placed to provide a high quality residential development forming a sustainable extension to Harpenden (a Category 1 settlement) in accordance with the Spatial Strategy and Settlement Hierarchy as outlined at Policy S1.

2 MAIN ISSUE (I) – WHETHER THE SPATIAL STRATEGY, SETTLEMENT HIERARCHY AND DEVELOPMENT STRATEGY IS JUSTIFIED, EFFECTIVE AND CONSISTENT WITH NATIONAL POLICY?

- 2.1 We respond to the specific questions arising in relation to Matter 3 below.

Question 1. What is the basis of the overall spatial strategy and broad distribution of growth set out in Policy S1? What options were considered and why was this chosen?

- 2.2 It is unclear why the proposed strategy was chosen and what other options were considered, therefore the basis of the overall spatial strategy and broad distribution of growth is not logically justified. On the face of it, the sequential approach set out in Policy S1 represents a flexible and reasonable approach to spatial development as it focuses development to Category 1 settlements+, in reality, the Council does not follow through and implement this properly because it fails to allocate sufficient land for housing development at these locations.
- 2.3 In principle, the extension of an existing community or settlement balances and integrates the social, economic, and environmental needs of their community and meets the needs of existing and future generations. Evidence from elsewhere in England is that such extensions represent an efficient and effective means of sustainably meeting housing targets which accords with national guidance and specifically paragraph 72 of the NPPF, where it states *"the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities"*.
- 2.4 Whilst the thrust of the policy is sound, the manner in which it is applied by the Council is not sound.

Question 2. Is the growth in large villages consistent with their position in the settlement hierarchy set out in Policy S1?

- 2.5 No. Policy S1 is misleading because it implies that all of the large villages included in the policy will expand as part of the spatial development strategy. However, the Council proposes only to extend one Large Village (Chiswell Green). We therefore consider the spatial strategy is not consistent with the position of other Large Villages identified in the settlement hierarchy at Policy S1 because the strategy does not, in fact, allow for them all to grow.
- 2.6 The logical conclusion therefore is that the spatial strategy set out in Policy S1 is clearly unsound as it focuses future development predominantly on the Category 1 settlements (City, Towns – Main urban settlements excluded from the Green Belt). Whilst acknowledging that settlements within Category 1 are well placed to absorb development due to the wide range of services they provide, there are other locations (Large Villages – Settlements excluded from the Green Belt or Green Belt Settlements) that are equally able to absorb development on an appropriate scale and can therefore offer sites that are available, viable and capable of delivery. This is consistent with the NPPF's definition of 'Deliverable'.
- 2.7 Policy S1 is therefore not consistent with this guidance because it imposes an arbitrary hierarchy that simply reflects the size of the settlement. The draft strategy simply advocates that the larger settlements should continue to grow and ignores the potential of other settlements in the District. Such a spatial strategy has no sound planning basis.

Question 3. Has the settlement hierarchy taken account of facilities in neighbouring settlements, outside of the local authority's boundary? If not, should it?

- 2.8 The Statement of Common Ground / Memorandum of Understanding (CD007) does not set out the extent to which the Council has considered this point and clearly it should do so. In going about their daily lives, residents ignore administrative boundaries and therefore it is logical to consider the facilities "just over the border" because residents will use these. The existence of these facilities and the potential for future changes should be included in the assessment of the District's settlement hierarchy and formation of a spatial development strategy.

Question 5. Is there a need to define settlement boundaries?

- 2.9 Yes. In planning for the expansion in growth of settlements, it logically follows that in determining the quantum of land proposed to be allocated to meet development needs, the Council should show the proposed increases in size of settlements. As part of this exercise, the Council should utilise established and defensible boundaries like rivers, hedgerows, areas of woodland and existing roads to plan positively for the extension and expansion of settlements.

Question 6. Is the proposed development strategy set out in Policy S2 appropriate and realistic?

- 2.10 Policy S2 is not appropriate and realistic as it is not sound as it is not positively prepared, justified or effective. There is an over reliance on the broad locations to deliver the housing required. There are numerous examples elsewhere which highlights the difficulty in bringing forward large and complex sites owing to inter alia, the number of parties involved and discussions around phasing and the delivery of infrastructure which will undoubtedly have a substantial effect on supply. Quite simply, the Council's over reliance on these sites is not appropriate nor realistic.
- 2.11 Whilst the Council's lack of a robust Five Year Housing Land Supply (5YHLS) is not in question, the approach used in calculating this and the actual level of supply is. The Annual Monitoring Report (AMR) (December 2018), suggest that depending on which approach is used¹, the Council has between 2.4 years – 3.4 years.
- 2.12 Despite this clear shortfall the Council is proposing a spatial strategy (outlined at Policy S4) that “back fills” supply during the latter periods of the plan, there is no intention to catch up with the under supply in the early years of the Plan. Furthermore, there is a lack of certainty on future delivery rates and above all, there is a need to ensure the shortfall due to previous years under delivery is met in the early stages of the Plan rather than “back filling”. The development strategy is clearly not appropriate.
- 2.13 It is clear that additional land is required to be released from the Green Belt at Category 1 and 2 settlements defined in Policy S1.

Question 7. Will this provide a sufficient mix of sites and provide the size, type and tenure of housing to meet the needs of different groups in the community? Does this reflect the evidence from a local housing needs assessment?

- 2.14 Owing to the proposed spatial strategy and uncertainty in delivery, whether the needs of different groups will be met is unclear. As confirmed in the most recent AMR, since the last Local Plan was adopted in 1994, an average of just 18% affordable dwellings have been delivered over a 23 year period (Appendix 2 of AMR - Affordable Housing Completions). More recently during 2017 – 2018, 106 affordable dwellings were delivered equating to just 22% (Table 7 – Percentage of gross dwellings completed as affordable, AMR 2018) and much like the need for the Council to catch up with previous years under supply of market dwellings, it is clear the same approach is required for the delivery of affordable housing.
- 2.15 We therefore contest that the spatial strategy and uncertainty of when these sites will be delivered will not provide the tenures of housing required to meet the needs of different groups. Furthermore, the spatial strategy

¹AMR paragraphs 2.11 – 2.15. Approach 1 - The 2014 based Household projection figures were published by the Department for Communities and Local Government (DCLG) on 12 July 2016. They identify for the District a household project of which can be taken as indicating a local housing need of an average of 644 new households / dwellings per annum for the period 2018-2028.

Approach 2 - The Government's consultation proposals within the 'Technical consultation on updates to national planning policy and guidance method' published 26 October 2018 sets out a standard methodology for calculation of local housing need which gives an outcome for the District of an average of 902 new households / dwellings per annum.

will not allow supply to catch up with previous years shortfalls as discussed above. This is clearly not a sound strategy and one that will provide a sufficient mix of sites and provide the size, type and tenure of housing to meet the needs of different groups in the community.