
St Albans City & District Council Local Plan Examination

Representations on behalf of L&Q Estates
Matter 5: Objectively Assessed Needs for Housing and
Employment Lane

December 2019

**St Albans City & District Council
Local Plan Examination**

**Representations on behalf of L&Q Estates
Matter 5: Objectively Assessed Needs for Housing
and Employment Land**

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CONTENTS

1.0 Introduction

2.0 Matter 5: Question 4

3.0 Summary

1.0 INTRODUCTION

- 1.1 This statement has been prepared by Barton Willmore LLP on behalf of L&Q Estates (formerly Gallagher Estates) pursuant to Matter 5: Objectively Assessed Needs for Housing and Employment Land. This follows representations to both the Regulation 18 and Regulation 19 Local Plan consultations in relation to L&Q Estates' land interest at Land South of London Road, St Albans (the 'Site'). It has been titled 'The Greenway' during the Local Plan consultation process.
- 1.2 The Site extends to 14.22 hectares in area and provides the opportunity to successfully accommodate a highly sustainable development of 300 residential units in this edge of town location. The Regulation 19 representations were accompanied by a Vision Document dated February 2018 and a Landscape Appraisal and Green Belt Review, which describe the site and its opportunities in more detail.

2.0 MATTER 5: QUESTION 4

Is the stepped trajectory in policy S4 and appendix 2 of the Plan appropriate and justified?

- 2.1 The proposed housing trajectory within the Local Plan is stepped, with 565 dwellings per annum proposed between 2020-2025, and 1,075 dwellings between 2025-2036. It is a direct result of the Council's decision to only allocate Broad Locations for development, which range in size from 365 dwellings (Chiswell Green) to 2,195 dwellings (East Hemel Hempstead South). It is considered that small and medium sites should be allocated alongside Broad Locations.
- 2.2 Given the history of low delivery within the District, the stepped trajectory is not effective in meeting needs over the Plan period and it does not appear to be justified by the Council's evidence base. The evidence must demonstrate that all other options have been robustly considered.
- 2.3 Paragraph 60 of the NPPF confirms that to determine, as a starting point, the minimum number of homes needed, the standard method of calculation must be used unless exceptional circumstances justify an alternative approach. Planning Practice Guidance para 2a-010-20190020 confirms that *'there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates'*. The specific wording notes, quite rightly, that such 'circumstances' do not have to be exceptional in nature to justify planning for a requirement higher than the minimum starting point.
- 2.4 Importantly in this regard, St Albans and City District Council are subject to a 40% cap. Importantly the Planning Practice Guidance para 2a-007-20190220 states that *"The cap is applied to help ensure that the minimum local housing need figure calculated using the standard method is as deliverable as possible. The cap reduces the minimum number generated by the standard method, but **does not reduce housing need itself**. Therefore strategic policies adopted with a cap applied may **require an early review and updating to ensure that any housing need above the capped level is planned for as soon as is reasonably possible.**"* (our emphasis)
- 2.5 Taking these points in turn, firstly, it is clear that the objectively assessed need planned for does not reflect the actual housing need within the District. The Council therefore has an opportunity to meet additional need now, rather than through the review mechanism.

It is clear based on the stepped trajectory that the Council has confidence in rates of delivery from a market perspective, with the constraint being site availability. As such we would suggest that by making additional allocations of small/medium size sites the Council could forego the stepped trajectory and deliver at over 1,000 dwellings throughout the Plan period – thus getting closer to meeting the uncapped minimum starting point suggested by the standard method. In this situation, to Plan for the capped figure – with no safeguarded land – will lead to the need for an early review; which we do not consider is necessary in St Albans.

- 2.6 The Planning Practice Guidance also encourages the prioritisation of sites where evidence is available (para 021, ID:68-021-20190722). It seeks sites to identify priority sites which can be delivered earlier in the Plan period. It adds that such sites '*will provide additional flexibility and more certainty that authorities will be able to demonstrate a sufficient supply of deliverable sites against the housing requirement*'. Broad Locations are expected to deliver from 2022/23 at the earliest, for which prior to this does not allow any flexibility or certainty that the Council will be able to demonstrate a sufficient supply of deliverable sites. We therefore reiterate that small and medium sites should be allocated alongside Broad Locations.
- 2.7 Should the stepped trajectory itself be considered sound, there are concerns regarding the actual numbers in relation to the delivery rates demonstrated in Appendix 2. The trajectory does not reflect the likely timings of housing delivery within the Plan period. For example, the stepped trajectory within the proposed Plan is lower than the anticipated delivery for the first ten years of the Plan.
- 2.8 This will allow the Council to demonstrate more completions than expected by policy. The final six years of the plan period anticipates much lower delivery than the trajectory itself. This is a further result of the reliance upon Broad Locations within the development strategy. The trajectory as proposed gives the Council a safety net for the final six years where they are potentially vulnerable to reduced completions, as anticipated at Park Street Garden Village. The trajectory does not therefore represent a clear guide as to when housing is expected to be delivered and the figures proposed unjustified.
- 2.9 The trajectory must also be flexible in terms of meeting unmet need from neighbouring authorities, as discussed through the matter 2 session. This may include unmet need from Watford or from London, as raised by the Home Builders Federation.

3.0 SUMMARY

- 3.1 The proposed objectively assessed need seeks the use of a stepped trajectory, with lower provision at the start of the Plan period, and larger provision towards the end of the period.
- 3.2 St Albans is a capped authority given its history of low housing provision when compared to the demand in the area – contributing to significant affordability issues. The Plan seeks to deliver the minimum starting point standard method figure for housing. This is despite the standard method figure being capped for deliverability purposes and not meeting actual housing needs. However, given the strength of the market and the Councils anticipated annual delivery rates over the Plan period, there appears to be no concerns in relation to delivery of the uncapped standard method figure should an appropriate number and type of sites be allocated. As such we suggest that to make the Plan sound additional small and medium scale allocations are added.
- 3.3 The stepped trajectory justifies the inflexible development strategy adopted by the Council and the over reliance upon the large sites. As highlighted in other Matters Statements pursuant to the Examination, this approach is not considered justified or effective given the problems if any of the Broad Locations are either delayed or do not come forward at all.
- 3.4 This therefore has repercussions for affordability in the District. This Local Plan provides an opportunity for the Council to meet this need now rather than through the Review mechanism. Development of the Greenway would assist by providing 300 dwellings early within the Plan period.

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