

Home Builders Federation

Matter 5

ST ALBANS LOCAL PLAN EXAMINATION

Matter 5: Objectively Assessed Needs for Housing and Employment Land (Policies S4 & S5)

Main Issue

Whether the Plan has been positively prepared and whether it is justified, effective and consistent with national planning policy in relation to the overall provision for housing and employment land.

Housing

1. The identified housing need is based on the standard methodology in the National Planning Policy Framework. Is the Council's application of this in accordance with the methodology in the PPG (as updated)?

The Council's response to question 9 of the inspectors' initial questions sets out the application of the standard method in relation to SACDC. We would agree that the formula has been applied as set out in Planning Practice Guidance (PPG). However, and as raised in our representation we are concerned that the Council has then applied this figure in policy S4 from 2020 on the basis that this is the likely adoption date of the plan. However, this position is inconsistent with paragraph 2a-006 of PPG.

The Council are required by paragraph 2a-008 of PPG to use during the preparation of their plan the current year as the base date for the application of the standard method. This figure can then be relied on for two years as the plan is submitted and examined. It therefore stands to reason that the plan period should commence from the year that the plan is prepared and then submitted and not from a point two years in the future from when the Council expects the plan to be adopted. Given that most plans take at least two year to move from submission to adoption it must be considered wholly inappropriate to ignore the housing needs in the period between the point at which a plan is submitted to the point at which it is adopted. Such an approach would be inconsistent with the very premise of the standard method as set out in paragraph 2a-006 which is to respond to the price signals that result from the constrained level of



supply in an area at that time. As such it is contrary to this position to ignore housing needs from the point at which the evidence was established to the point at which a plan is adopted.

The approach taken by the Council cannot be considered sound and will mean that an identified housing need for 2018/19 and 2019/20, and any unmet needs that occur during that period, will be ignored by the Council. The only sound basis for taking this plan forward is for the start of the plan period to be brought forward to 2018, and the housing requirement to be increased accordingly. This would result in a basic requirement of 16,236 dwellings based on the Local Housing Needs Assessment at the point at which the plan was published under Regulation 19 of the Town and Country Planning Regulations 2012.

2. Are any starting point LHN adjustments necessary?

The NPPF is clear a paragraph 60 that the Local Housing Needs Assessment as calculated using the standard method is the minimum number of homes that the Council should plan for. This paragraph then highlights that Councils must in addition to this base need take in account “*and needs that cannot be met within neighbouring areas*”. In our statement to Matter 2 we highlighted that there are unmet needs in both Watford and London that the Council are aware of and must be taken into account. The Council have stated in their response to question 8 of the inspectors’ initial questions (ED10) that no agreements exist to take any unmet needs from neighbouring areas. The fact that there are no agreements with regard to the delivery of unmet needs does not remove the fact that these exist.

The need to provide for the unmet meet needs of other areas is reiterated in paragraph 11 of the NPPF. Whilst we recognise that this paragraph then goes on to caveat this position it is worth noting that the 2019 NPPF applies a different test to that set out in the 2012 version of the Framework. Part b(i) now states that needs, including those of neighbouring areas, must be met unless:

“The application of policies in this Framework that protect assets of particular importance provides strong reason for restricting the overall scale of development.” (our emphasis)

This change highlights that the mere presence of such policies in the NPPF is not sufficient to restrict the overall scale of development but that there must be strong reasons for their application. This is a significantly different test and one that the Council do not appear to have grappled with. We would argue that there are not strong reasons for not meeting the needs of neighbouring areas in SACDC on the basis of the policies that restrict growth within the NPPF – in SACDC’s case Green Belt. The Council’s own assessment identified some smaller-scale sub areas that could be released due to their “*limited contribution to the four national purposes and local*

Hertfordshire purpose” (paragraph 8.1.2 of GB004) and went on to state that further small-scale sub-areas may exist given that the study was not exhaustive. It is clear that the Council could do more to meet the unmet needs of other areas without harming the purposes or aims of the Green Belt and that as such it cannot be considered the case that there are strong reasons for not meeting the needs of other areas.

Aside from the requirement to meet the needs of neighbouring areas Planning Practice Guidance also outlines that Councils should take into account any growth strategies (paragraph 2a-010) or the need to increase supply in order to help deliver the required number of affordable homes. Whilst we have no comments to make with regard to any relevant growth deals it is surprising that given the scale of affordable housing needs within SACDC that no additional supply has been considered necessary. The 2016 Strategic Housing Market Assessment identifies a need for 617 affordable homes per annum between 2013 and 2036 - 67% of the Council’s proposed annual housing requirement. It is therefore evident that further sites would help the Council in meeting this high level of need and adds to the weight of evidence indicating that the Council should be allocating more sites for residential development in this local plan.

3. Is the housing target in the Plan appropriately aligned with forecasts for jobs growth?

No comment

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

No. Paragraph 3-034-20180913 of PPG sets out when it is appropriate to use a stepped trajectory, stating:

“A stepped requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and/or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period.”

We accept that in the case of SACDC there is a significant change between what has been delivered in the past and what needs to be delivered. However, it must be remembered that this step would not have been so significant had the Council been quicker and more effective in preparing a sound local plan. The inability of the Council to prepare such a plan has led to the need for such a significant increase due to its failure to meet housing needs. Be that as it may it is important when considering the introduction of the stepped trajectory the second half of paragraph 3-034 which states:

“Strategic policy-makers will need to set out evidence to support using stepped requirement figures, and not seek to unnecessarily delay meeting identified development needs.”

As set out in our representations we could find no justification in the local plan or the supporting evidence base for the stepped trajectory and in particular a stepped trajectory that will delay the delivery of much needed housing to much later in the plan period. Based on a flat trajectory of 913 dpa it is possible to examine the effects of the proposed stepped trajectory. This would mean that the backlog in housing delivery on adoption of this plan not being addressed until 2029/30. This would suggest that the Council have set the step at a level that would cause an unnecessary delay in meeting housing needs. It would also negate the use of the 20% buffer to take account of past poor delivery as required by the HDT. Whilst a step might be justified in the case of SACDC it should be set at a level that will allow housing needs to be delivered more quickly and not push them back until later in the plan period. This will require the allocation of additional smaller sites that could come forward earlier in the plan period. This would provide the more balanced approach to delivery envisaged by national policy.

5. How much housing is anticipated after the plan period as a result of the proposals in the Local Plan?

This is for the Council to answer.

6. Have the Council set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations, as set out in paragraph 65 of the NPPF?

No comment.

Mark Behrendt MRTPI
Planning Manager – Local Plans SE and E