
St Albans City & District Local Plan Examination

Representations on behalf of L&Q Estates
Matter 8: The Supply and Delivery of Housing Land

December 2019

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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 8: The Supply and Delivery of Housing 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 8: QUESTION 2

What is the estimated total supply in the plan period from a) existing planning permissions?

- 2.1 Appendix 2 lays out the proposed housing trajectory, and this has been broken down into predicted annual delivery. In terms of existing planning permissions, this is broken down into sites under construction, sites with planning permission (full or reserved matters covering whole site), small sites with permission, conversions with permission, and schemes with outline permission only. Within the Plan period, these categories total 814 dwellings.
- 2.2 Appendix 5 of the Local Plan lists 334 small sites with planning permission that will provide 950 dwellings in total. These sites range in size from 1 dwelling to 58 dwellings. It is unclear how these 950 dwellings are distributed amongst the categories within appendix 2. However, it is important to reiterate concerns that a number of these small sites may come forward before the Plan period given the Council's proposal to start the Plan period from 2020. The numbers are not therefore considered a true reflection of permitted schemes that may be delivered within the Plan period.
- 2.3 In order for the Local Plan to be considered sound, clarity is required on this matter, and appendix 2 should be updated accordingly. It is also noted that a request has been made to the Council to simplify this table; which is welcomed.

3.0 MATTER 8: QUESTION 4

Is the Housing Trajectory Realistic?

- 3.1 The proposed housing trajectory is stepped, with 565 dwellings per annum proposed between 2020-2025, and 1,075 dwellings between 2025-2036. The need for a stepped trajectory is a 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) within the plan period. It is considered that small and medium sites should be allocated alongside Broad Locations.
- 3.2 The response on behalf of L&Q Estates to Matter 7 has queried the trajectory relating to the Park Street Garden Village. This is relevant to this question in Matter 8 too. The infrastructure requirements listed within policy S6 xi) Park Street Garden Village Broad Location, and the timeframe for the planning application process, as well as site preparation and construction time suggest delivery of 80 dwellings in 2026/27 and 180 dwellings per annum from 2028/29 onwards. Such delivery is not in line with findings of the Nathaniel Lichfield & Partners document 'Start to Finish, How Quickly do Large-Scale Housing Sites Deliver?' which notes sites of 2,000+ units would likely take 6.9 years to deliver following submission of a planning application, and would on average deliver 161 dwellings per annum.
- 3.3 The trajectory seeks the provision of 440 dwellings within the Plan period, commencing from 2025/26, for the intensification or conversion of employment land. No specific sites have been identified in justifying this figure. This would appear in direct conflict with emerging policy L9 (Primarily Business Use Areas), which specifically states '*new residential development will be refused permission in the Primarily Business Use Areas*'. Whilst the 440 dwellings may be anticipated on other such land, such policy conflict must be addressed. There appears little evidence to suggest 440 dwellings could be delivered on such sites.
- 3.4 The trajectory includes delivery of 220 dwellings on Council owned sites. The Local Plan itself or the accompanying proposals map does not identify these sites. Given they are key in providing dwellings within the latter part of the trajectory where the required delivery is at its highest, further evidence should be provided to demonstrate these sites are available and viable. Alternatively, they should be specifically allocated for dwellings following a comprehensive assessment before adoption of the Plan. At present, there are serious concerns regarding their delivery.

- 3.5 The trajectory also includes 220 dwellings resulting from an increase in density in higher buildings. The Local Plan neither identifies any sites that may benefit from such increased densities, or acknowledges the circumstances in which it may be appropriate. Again, there are serious concerns for the delivery of these 220 dwellings.
- 3.6 For the reasons laid out above, there are serious concerns that the trajectory is not realistic, and will result in a shortfall of housing in an area of great demand and a history of under provision.

4.0 MATTER 8: QUESTION 5

The majority of the proposed housing will be provided on a small number of large sites. Does the Council have a contingency Plan should one or all of these sites not deliver as expected?

- 4.1 No. If the Broad Locations fail to deliver, as anticipated at Park Street Garden Village, in line with the proposed housing trajectory, the Local Plan does not include any mechanism to meet any resulting shortfall. No safeguarded land is identified.
- 4.2 There may be the opportunity for additional sites to come forward through the Local Plan review process to meet any identified shortfall in housing delivery. The Review is anticipated to be ahead of the five years set by the NPPF given that the housing requirement figure proposed does not meet the needs of the District. This ties in with the change to the housing trajectory from 565 dwellings per annum to 1,075 dwellings per annum in 2025/26. Given the anticipated delivery rates of the Broad Locations from 2022/23, the Council cannot rely on the Review mechanism, which will be too late to identify and begin to remedy any early under provision. We therefore consider small and medium sites should be allocated alongside the Broad Locations.

5.0 MATTER 8: QUESTION 6

Has there been persistent under delivery of housing? In terms of a buffer for a five year supply of housing sites, should this be 5% or 20% in relation to para 73 of the NPPF?

- 5.1 The Council's Annual monitoring report 2018 dated December 2018 confirms that 385 dwellings were delivered in 2018 against a standard method target of 902 dwellings. This provides a significant shortfall.
- 5.2 The Housing Delivery Test provides details on previous delivery. The 2018 Housing Delivery Test results for St Albans City and District Council show that 1,155 dwellings had been delivered in the previous three years, against a target of 1,987 dwellings. The table below shows the Housing Delivery Test result broken down over the previous three year period:

Year	Home Required	Homes Delivered
2015/16	670	396
2016/17	668	347
2017/18	649	412
Total	1,987	1,155

- 5.3 This represents a delivery of 58% over this three year period, the consequence of which is the need to apply a 20% buffer as per paragraph 73 of the NPPF. Given the findings in the 2018 Monitoring Report, the 2019 Housing Delivery Test results, due to be released following the December 2019 election, will again result in the need for a 20% buffer.

6.0 MATTER 8: QUESTION 7

What are the implications of stepped delivery on the supply and delivery of housing?

- 6.1 The stepped trajectory as proposed has delayed the delivery of housing later into the Plan period. At the commencement of the Plan period, the trajectory is generally made up of existing commitments. Later in the Plan period, these commitments reduce to windfall allowances, and development at Council owned sites and the '*unanticipated delay factor*'. At this point, the delivery of the Broad Locations provide the majority of the housing delivery.
- 6.2 The approach therefore is placing full reliance upon delivery at the ten identified Broad Locations. Other Matters Statements cover as to why this is considered unsound, but to summarise, this is due to the lack of any contingency should any of these Broad Locations be delayed or not deliver at all. Specific comments have been made in relation to Park Street Garden Village, which has an overly optimistic proposed delivery rate and may be subject to legal action given the extant planning permission on the site.

7.0 MATTER 8: QUESTION 8

What impact will this have on the 5 year supply of deliverable housing land and the delivery of affordable housing?

- 7.1 The stepped trajectory is the mechanism in use to ensure that the Council can demonstrate a five year housing land supply throughout the Plan period. It has been utilised given the reliance upon the Broad Locations to deliver housing later in the Plan period.
- 7.2 Whilst it is acknowledged the plan provides circa 200 additional units more than the capped minimum starting point, there are concerns that the five year housing land supply will continually be in threat throughout the entire Plan period given the inflexibility of the housing allocations and over-reliance upon the Broad Locations. Any delay in delivery at the Broad Locations could result in the housing supply dropping below five years.
- 7.3 There are also concerns regarding the period where the trajectory rises from 565 dwellings per annum to 1,075 dwellings per annum at 2025/26. At this time, all but three of the ten Broad Locations are expected to be delivering dwellings, and this includes Park Street Garden Village. This is a steep rise in delivery, emphasised by the previous shortfall in delivery historically within the District.
- 7.4 Draft policy L3 seeks a minimum of 40% of dwellings to be affordable on schemes of 10 or more homes. The stepped trajectory will provide delivery throughout the Plan period. However, as per the market housing, the higher numbers will be delivered later in the Plan period. This will delay the provision of affordable housing for those in need, in the context of a Plan that does not attempt to meet full housing needs. Given the District is constrained by Green Belt, there is even more emphasis on ensuring the Local Plan provides appropriate housing, given the reduced opportunity for windfall development to make up any shortfall.
- 7.5 If there is any delay in the delivery of dwellings within the Broad Locations in relation to the trajectory, then delivery of affordable housing will also be delayed. The lack of flexibility within the trajectory and the reliance upon ten Broad Locations to bring forward the vast majority of affordable housing is a considerable risk to the Council. The addition of small and medium allocations will deliver affordable housing earlier within the Plan period and ensure that a more flexible and effective Plan is adopted.

- 7.6 The proposed site at the Greenway requires little infrastructure upgrades and would therefore seek to be policy compliant with regards affordable housing. This can also be provided early in the Plan period should the Greenway be formally allocated.

8.0 SUMMARY

- 8.1 There are serious concerns as to whether the approach towards the supply and delivery of housing land is justified and effective. As noted throughout the Matters Statements provided, the reliance upon Broad Locations for the majority of housing delivery is a very inflexible strategy.
- 8.2 In order to be effective, the Local Plan should include a portion of small and medium sites for residential development. These will provide delivery earlier in the Plan period, reducing the need for such a large step within the trajectory. It will also bring forward affordable housing earlier in the Plan period and aid the demonstration of a five year housing supply.
- 8.3 The development strategy does not include any contingency plan to make up any shortfall should there be a reduction in delivery in line with the trajectory. A 20% buffer is essential as highlighted by the results of the 2018 Housing Delivery Test.

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