

TRDC SITE ALLOCATIONS EXAMINATION IN PUBLIC

Final Session 31st October 2013 : Closing Submission

Verbal presentation by Alison Tero of CBRE on behalf of Tfl Property

Sir, we consider this Site Allocations Plan to be unsound for a number of reasons which you have already heard evidence on. In this submission, I wish to simply highlight the key components of our case.

This Plan, as currently prepared, is not justified. It does not represent the most appropriate strategy for the District in terms of housing and education provision when considered against reasonable alternatives.

Nor is it effective in delivering sustainable development and, as we have demonstrated during this Examination, we do not consider that the Council have been able to clearly and confidently demonstrate that the Plan as currently prepared is indeed deliverable and capable of meeting the District's development needs.

Furthermore, you have heard our evidence in relation to the lack of consistency of this Plan with the Framework and the Council's own Core Strategy and Development Management policies which require the delivery of sustainable development.

On behalf of our client Tfl Property we have already set out in earlier submissions our case in relation to housing land, secondary education provision and the merits of the Baldwins Lane site for housing.

With regard housing delivery, we have clearly argued that the District is vulnerable to a significant housing shortfall. We believe that you cannot take comfort, Sir, from the evidence presented by the Council, that there will be at least enough housing identified to meet the identified needs. The Council's position is that they only need to identify just enough supply. There is nothing in reserve, and they have failed to put in place a Plan which is sufficiently flexible and responsive should some sites fail to deliver.

You have heard Sir, our very real concerns, that a number of the sites allocated by the Council are either not suitable or are not deliverable, either at all or at the quantum identified. The Council in their desire to limit Green Belt release have been overly optimistic in their assumptions.

We acknowledge Sir, that the failure of a site to meet the identified housing quantum alone is not sufficient to find the Plan unsound, it is however, the cumulative impact and the resultant shortfall which renders the Plan unsound. In particular the following sites are found wanting.

Tolpits Lane, Loudwater and Leavesden Pumping Station are all located in unsustainable locations, contrary to the Council's Core Strategy policies;

Tom's Lane (H2) is not considered deliverable from a practical perspective; and

Stokers Farm Road, Little Furze School (which now has to accommodate the County Council's relocated care home), Grapevine public house, the Grazing land at South Oxhey and Hill Farm Industrial Estate all represent overdevelopment – again the Council have not applied their own development management policies in relation to an appropriate quantum of development.

A quick tally indicates a short fall of at least 250 units, assuming all other sites come forward.

In addition, there remains considerable uncertainty and a lack of a credible evidence base to support the assumed delivery of at least 150 units at Kings Langley.

South Oxhey regeneration proposals remain uncertain. As you have heard Sir, the preferred development partner has now pulled out of the scheme due to viability issues. Whilst Mr Jamieson noted that the Council 'still had time' to bring a scheme forward, the Council were unable to provide the level of certainty needed such that this Plan should rely on the delivery of South Oxhey to meet its overall housing need. Mr Head, acknowledged that this is a hugely complex proposal, that will be subject to a number of significant challenges, including finding a viable financial model to underpin it and delivering the Compulsory Purchase of numerous interests. It must be concluded that this project whilst supported remains uncertain.

For the reasons set out it cannot be concluded that the Plan can confidently be expected to effectively deliver the required development upto 2026.

In terms of the secondary school needs and provision, we are strongly of the view that the built area of the school sites should be removed from the Green Belt in order to provide certainty and clarity. Both the County and the District have agreed that it is only necessary to allocate 2 secondary school sites. It is in our evidence Sir, that the Mill End site has considerable merits over Baldwins Lane, being a larger, flatter site, capable of providing the full range of facilities on site. Our case is that preference should be given to the delivery of Mill End in the first instance; however that is a matter for you to consider in the balance.

What is clearly demonstrated however, and accepted by the Council, is the fact that Baldwins Lane is located in a highly sustainable location, served exceptionally well by public transport and local services. Given the shortfall in housing supply, should a school not be required at Baldwins Lane, then the site lends itself very well to accommodating a sensitively designed housing scheme on the western half of the site, without compromising the function and integrity of the Green Belt. We are firmly of the view that a small incursion into the Green Belt in this location would not undermine the 3 key functions of the Green Belt relevant here. The retention of the eastern part of the site as open land combined with the permanently open area of lakes and woodland to the east would provide a permanent and defensible gap and would prevent the coalescence of the two urban areas. By utilising the existing landscape features, a permanent defensible boundary to the Green Belt would restrict urban sprawl; and the western part of the site, as articulated by Miss Toyne yesterday, does not have the characteristics of open countryside. The western part of the site has the ability to absorb a sensitively designed housing development whilst protecting against future encroachment into the Green Belt.

However, recognising the potential need for a secondary school at Baldwins Lane, it is essential that only that land necessary for the school is allocated. You have heard our case that the n-w part of the site cannot be developed for education purposes, and this is set out in the County Council's own evidence statement. This part of the site is suitable, viable and deliverable for housing and for the reasons set out earlier it is considered to be a very reasonable alternative housing site to those already allocated which are not located in sustainable locations.

Sir, it would be wholly inappropriate to allocate land not required for education development and we strongly seek the removal of the n-w part of the site from the education allocation. We have demonstrated that there is sufficient land within the southern portion of the site to provide future flexibility for education buildings, and to allocate the site in its entirety for education is neither justified nor effective.

We have noted in our evidence that we are of the view that it would be appropriate for the Council to safeguard housing land into the next plan period. The Council have acknowledged that a more fundamental review of the Green Belt will be required in due course to meet the continuing demand for housing. Whilst the Council has indicated they would move towards a review of the Plan in the latter part of this decade, we consider it appropriate, and as required by the Framework, necessary to identify safeguarded land. Our view is that a 15 year window of supply from now should be identified, providing a further 3 years of supply post 2026. This is well within the scope of this Plan, whose role is to allocate sites, to do this. We would note Sir, that as agreed by the Council, should a school come forward on Baldwins Lane in advance of a housing scheme on the n-w part of the site, that the appropriate mechanism is put in place to ensure that a housing development would not be precluded in the future either during this plan period or the next.

Sir, in conclusion, this plan as currently prepared is not sound. The Council have sought to identify the bare minimum of sites for housing, putting the plan at serious risk of failing to provide a positive planning framework which would provide much needed certainty, particularly in a District which is so constrained by the Green Belt.

We consider that alternative and additional housing sites should be allocated and in determining the most appropriate sites, regard should be had to the Framework and Core Strategy policies requiring development to be located in the most sustainable locations. Choice as to which sites should be brought forward should be applied to sites of equal merit, and not be used to justify allocation of unsustainable sites.

The Framework requires local plans to plan positively for the development and infrastructure required in an area in order to meet identified needs, and to be drawn up over an appropriate timescale, taking account of longer term requirements and be kept up to date. It is our submission Sir, that this Site Allocations Plan as currently prepared fails to achieve these key objectives of the Framework.