

THREE RIVERS SITE ALLOCATIONS DPD EXAMINATION

On behalf of Transport for London, Commercial
Development Directorate

Respondent Number: 6018 2/300 48/SA

Issue 6

30 September 2013

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ISSUE 6: WHETHER THE SALDD PROVIDES SATISFACTORILY FOR THE AMOUNT AND TYPE OF HOUSING PROPOSED BY THE CORE STRATEGY AND IN THE BROAD LOCATIONS IN WHICH THE LATTER INTENDS IT SHOULD BE DEVELOPED.

- 1.1 CBRE Limited (CBRE) is instructed by Transport for London Commercial Development Directorate, Property (TfL Property).
- 1.2 This Statement responds to the Inspector’s Questions 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7,6.8, 6.13 and 6.14.
- 1.3 The following Appendices are attached to this Statement and are referenced below.
 - Appendix 1 : Town Planning Assessment (hereafter referred to as ‘The Assessment’) undertaken by CBRE in order to ascertain whether the housing sites and quantum of housing allocated in the Submission SALDD can reasonably be delivered over the plan period to meet the Core Strategy housing requirement. The Assessment considered 21 allocated sites, including all sites within or partly within the Green Belt (except the rural exception site at Sarratt) and 5 non-Green Belt allocated sites. This includes the Landscape and Visual Appraisal and Green Belt Review of Potential Housing Sites (LVA) undertaken by Barton Willmore at Appendix B of the Assessment.
 - Appendix 2 : Revised Housing Site Allocations Summary Table prepared by CBRE.
 - Appendix 3 : Site Density Assessment undertaken by IBI Taylor Young.

Q6.1 : Whether housing sites should be chosen by ‘sustainability score’ and ‘ranking’ or on the basis of their specific ‘merits’.

- 1.4 The Core Strategy approach¹ notes that regard will be had to a criterion based approach with detailed criteria listed in Appendix 2 of the Core Strategy.
- 1.5 The criteria based approach or ‘sustainability score’ is considered an appropriate tool to inform the identification of the most sustainable sites. However, these scores should then be reviewed to ensure the best ranking sites accord with the intentions of the Spatial Strategy notably that they are situated at the most sustainable locations on the edge of the Principal Town, Key Centres and Secondary Centres. The sustainability scoring exercise is considered to provide a guide to the relative merits of the assessed sites.
- 1.6 It is important that the sites (once scored and ranked against the Core Strategy criteria) are considered against the intentions of the Spatial Strategy and the Framework, namely that the sites are available, suitable and viable. For example, a site could score very well through the ‘sustainability score’ but fail the test of availability.
- 1.7 It is unclear how TRDC have reached their conclusion that sites which were ranked low on the sustainability score, which are located in unsustainable locations and not located adjacent to the Principal Town, Key Centres or Secondary Centres (such as H6 and H28 for example), have been brought forward and allocated in the SALDD.
- 1.8 TRDC’s approach to site allocations therefore is not justified, nor does it accord with the intentions of the Framework or the approach set out in the Spatial Strategy of the Core Strategy.

¹ Core Strategy Spatial Strategy page 17, Point 5

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Q6.2 : Whether the availability, suitability and viability of each of the allocated housing sites is based on firm knowledge or, alternatively, realistic assumptions informed by credible evidence.

- 1.9 As set out in the Assessment² in Appendix 1, it is considered that a number of sites allocated in the SALDD are either not available, not suitable or not viable. It is concluded that the identification of housing sites H2, H3, H6, H9, H17, H18, H27, H28, H29, H30, H33, H36, H37 and H38 has not been based upon firm knowledge or reasonable and realistic assumptions informed by a credible evidence base. The reasons are summarised below.

SITE REFERENCE	SITE ADDRESS	REASON
H2	Land at Three Acres, Toms Lane, Kings Langley	Not a suitable location
H3	Kings Langley Employment Area	Site capacity uncertain
H6	Leavesden Pumping Station, Abbots Langley	Not a suitable location
H9	Hill Farm Industrial Estate, Leavesden	Overdevelopment
H17	Branksome Lodge, Loudwater Lane, Loudwater	Not a suitable location
H18	Land rear of Queen’s Drive, Mill End	Not a suitable location
H27	Depot, Stockers Farm Road, Rickmansworth	Overdevelopment
H28	Land south of Tolpits Lane	Not a suitable location
H29	Pocklington House Care Home, Eastbury	Not available
H30	The Fairway Care Home, Green Lane, Oxhey Hall	Not available
H33	Little Furze School, South Oxhey	Overdevelopment
H35	South Oxhey Town Centre	Delivery uncertain
H36	Grapevine PH, South Oxhey	Overdevelopment
H37	Grazing Land at Foxgrove Path/Heysham Drive, South Oxhey	Overdevelopment
H38	Rear of Lytham Avenue, South Oxhey	Overdevelopment

- 1.10 The Assessment in Appendix 1³ highlights significant concerns regarding the lack of a credible evidence base for Kings Langley and South Oxhey, and the uncertainty regarding the delivery of housing in these areas.
- 1.11 Whilst CBRE supports the vision for South Oxhey site (H35), it is considered that there remains uncertainty in terms of the deliverability of the project, and particularly whether the net additional units can reasonably be delivered within the plan period. The identified timescales are considered to be optimistic given the requirement to find a viable scheme, which will be subject to extensive public consultation before planning permission can be secured. This is compounded by the need for compulsory purchase and the phased implementation of development needed in order to relocate existing uses and tenants during construction and operation.
- 1.12 TRDC’s report to its Executive Committee⁴ noted that the scheme is not yet finalised. In addition, whilst the Council is entering into discussions with a preferred bidder, it states that

² CBRE Town Planning Assessment, Section 3

³ CBRE Town Planning Assessment, paragraphs 3.4 through to 3.14

⁴ TRDC Executive Committee Report 22 July 2013

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the project programme is not yet fixed and will depend upon reasonable progress being made in commercial discussions. Only once these discussions are concluded can negotiations commence on the acquisition of the various land interests. Therefore, it is considered that there remains uncertainty over the ability to bring forward a viable and deliverable scheme.

- 1.13 TRDC⁵ also state that South Oxhey may now include an additional 98 dwellings. The area was originally identified to deliver a net addition of 210 units in the Pre-Submission SALDD and this was increased to 280 units in the SALDD. TRDC⁶ now identifies the delivery of a net addition of 378 dwellings, based upon a density of 222 dwellings per hectare. There is no evidence presented by TRDC to support or justify this increase in dwelling numbers. Secondly, it is unclear if the density of development stated is calculated only for the net additional dwellings or includes the replacement dwellings. It is not possible to assess whether the density proposed is acceptable. In any event, the acceptability of this high density of development will only be known once the scheme has been the subject of an EIA and consideration through the planning application process.
- 1.14 It is considered that whilst this proposed regeneration scheme should be supported in principle, there is a lack of a credible evidence base, and there remains considerable uncertainty over the delivery of this scheme at the density levels proposed or at all.

Q6.3 : Whether allocated sites currently in active use for other purposes are appropriately allocated for housing, having regard to employment and local services.

- 1.15 As set out in the Assessment in Appendix 1, it is considered that sites H29 and H30 should be omitted from the SALDD housing site allocations. Both sites are identified in the SALDD as being in active use as care homes and the SALDD states that their availability for housing development is therefore dependent upon suitable replacement provision being made, for which no alternative is identified.
- Pocklington House Care Home, Eastbury (H29): Delivery for residential is dependent on a replacement location/facility being found – 30 Dwellings.
 - The Fairway Care Home, Green Lane, Oxhey Hall (H30): Delivery for residential is dependent on a replacement location/facility being found – 25 dwellings.
- 1.16 Both H29 and H30 do not therefore meet the Framework test of being 'available' and therefore the 55 dwellings allocated are not deliverable. The SALDD is therefore unsound. If alternative care home provision was identified and the sites were released during the plan period, these sites would be capable of coming forward as windfall sites.

Q6.4 : Whether the allocated sites are broadly in the right locations.

⁵ TRDC Letter 31 July 2013

⁶ TRDC Housing Site Allocations Summary issued on 12 August 2013

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- 1.17 The Core Strategy Spatial Strategy⁷ and the SALDD⁸ set out the housing requirements over the plan period, and the approach to identifying the most appropriate locations for housing development - giving priority to previously developed sites and infill sites in urban areas followed by the most sustainable locations on the edge of existing settlements. There is no provision within the Core Strategy to locate housing sites in unsustainable locations beyond the identified centres in the settlement hierarchy outlined above. ‘Other’ settlements identified in the Core Strategy Key Diagram are not considered sustainable locations.
- 1.18 The Council’s Housing Site Allocations Summary⁹, sets out the location of each allocated site in relation to the Core Strategy settlement hierarchy. There are a number of factual errors in the document. In particular, it should be noted that:
 - TRDC has identified H28 Tolpitts Lane as being located in a Principal Town (Rickmansworth) which it is not. This site is located on Tolpitts Lane adjacent to an Industrial Estate and is in an unsustainable location for housing development.
 - TRDC has identified H6 Leavesden Pumping Station as being located in a Key Centre. It is not located adjacent to any settlement and is in an unsustainable location.
 - TRDC has identified H1 and H2 as being within Kings Langley. Both sites are located in Toms Lane, not Kings Langley.
- 1.19 CBRE has prepared a Housing Site Allocations Summary Assessment which sets out these errors (Appendix 2 of this Statement).
- 1.20 The revised analysis, rectifying the errors in location of H1, H2, H6 and H28 and reverting to 280 net additional dwellings at South Oxhey, is set out below.

	TRDC CORE STRATEGY HOUSING REQUIREMENTS BY SETTLEMENT HIERARCHY (APPROXIMATE %)	CBRE AMENDMENTS (LOCATION OF H1, H2, H6 AND H28 IN THE SETTLEMENT HIERARCHY AND RE-ADJUSTMENT TO 280 DWELLINGS AT SOUTH OXHEY) BASED UPON TOTAL PROVISION OF 1,658
Principal Town	15%	13%
Key Centres	60%	67%
Secondary Centres	24%	12%
Development in Villages	1%	1%
Other	0%	7%

- 1.21 The revised analysis highlights that a higher percentage of dwellings are proposed to be located in or adjacent to the Key Centres, with fewer in or adjacent to the Secondary Centres. The location of a greater proportion of dwellings within or adjacent to the Key Centres is not considered to undermine the intentions of the Core Strategy given these are higher in the settlement hierarchy and as such are sustainable locations.

⁷ Core Strategy Spatial Strategy page 17

⁸ SALDD page 5, paragraph 4.2 and policy CP2

⁹ TRDC Housing Site Allocations Summary issued on 12 August 2013

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- 1.22 However, the identification of 7% of provision (125 dwellings) located outside the settlement hierarchy fails to meet this objective. This approach does not accord with the intentions of the Core Strategy and Framework in terms of locating development in the most sustainable locations with access to services.
- 1.23 It is our view that it cannot be concluded that, based upon the evidence, the sites identified in the SALDD are broadly in the right locations. It is considered that there are alternative sites which are located in sustainable locations, adjacent to higher order settlements in the hierarchy and are capable of being allocated, to ensure the intention of the Core Strategy is met. The SALDD is therefore not justified and unsound.

Q6.5 : Whether the allocated sites are, in practical terms, accessible.

- 1.24 As set out in the Assessment¹⁰ in Appendix 1, it is considered that sites H2, H6 and H18 should be omitted from the SALDD housing site allocations. All three sites are considered to have access constraints which would result in the sites, and 60 dwellings allocated not being deliverable.
 - Land at Three Acres, Toms Lane, Kings Langley (H2) – 20 dwellings
 - Leavesden Pumping Station, Abbots Langley (H6) – 15 dwellings
 - Land rear of The Queen’s Drive, Mill End (H18) – 25 dwellings

Q6.6 : Whether the density assumed for each site is a realistic and appropriate reflection of its potential, having regard to social, environmental and economic considerations and the explicit intentions of the Core Strategy policy CP3.

- 1.25 Core Strategy Policy CP3 seeks, inter alia, to ensure an appropriate housing mix and density across the District.
- 1.26 As set out in the Assessment in Appendix 1, it is considered that the density assumptions made by TRDC in relation to sites H9, H27, H33, H36, H37 and H38 represent overdevelopment, contrary to Policy DM1, and as such are not realistic. Therefore 141 dwellings are not deliverable, see table below. The Landscape and Visual Appraisal and Green Belt Review of Potential Housing Sites (LVA)¹¹ undertaken by Barton Willmore and the Density Study undertaken by IBI Taylor Young, in Appendix 3, have informed these conclusions.
- 1.27 In addition, the LVA¹² identifies H28 as a sensitive landscape which makes a significant contribution to Green Belt purposes and as such not suitable for large scale development.

¹⁰ CBRE Town Planning Assessment, Appendix A: Site Summaries

¹¹ CBRE Town Planning Assessment, Appendix B: Landscape and Visual Appraisal and Green Belt Review of Potential Housing Sites (LVA), (H27 paragraphs 4.70-4.75, H33 paragraphs 4.96-4.101, H37 paragraphs 4.116-4.121)

¹² CBRE Town Planning Assessment, Appendix B: Landscape and Visual Appraisal and Green Belt Review of Potential Housing Sites (LVA), paragraphs 4.76-4.81

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SITE	COUNCIL ASSUMED CAPACITY (UNITS)	IBI TAYLOR YOUNG CAPACITY ASSESSMENT (UNITS)
Hill Farm Industrial Estate, Leavesden (H9)	30	21
Depot, Stockers Farm Road, Rickmansworth (H27)	60	12
Little Furze School, South Oxhey (H33)	100	49
Grapevine PH, South Oxhey (Site H36)	25	9
Grazing Lane at Foxgrove Path/Heysham Drive, Oxhey (H37)	50	37
Rear of Lytham Avenue, South Oxhey (H38)	20	16
Total	285	144

Q6.7: Whether, having regard to the above matters, the likely distribution of the planned housing will be sufficiently in accordance with the intentions of the Core Strategy to produce a spatial outcome that may be considered sustainable as the strategy intends.

- 1.28 The purpose of the Core Strategy approach to housing distribution is to ensure that new housing development is located in the most sustainable locations. We have concluded¹³ that the allocated sites below are not located in a suitable sustainable location and we do not consider that there are material considerations which would justify a departure from this approach:
- Land at Three Acres, Toms Lane, Kings Langley (H2) : Located adjoining Tom’s Lane, which is categorised as an ‘Other’ settlement
 - Leavesden Pumping Station, Abbots Langley (H6) : Isolated location not adjoining any settlement
 - Branksome Lodge, Loudwater Lane, Loudwater (H17) : Located adjoining Loudwater, which is categorised as an ‘Other’ settlement
 - Land South of Tolpits Lane (H28) : Located adjoining isolated industrial estate, which is categorised as an ‘Other’ settlement
- 1.29 The allocation of sites in unsustainable locations fails to meet the requirements of Core Strategy Policy CP2, which states that housing provision will be made primarily from within the existing urban area and from the most sustainable Green Belt locations on the edge of existing settlements as specified in the settlement hierarchy.

Q6.8: Whether, having regard to the above matters, the temporal outcome will serve to sustain a housing trajectory that will provide for the minimum requirements of the Framework in respect of ongoing housing land availability.

- 1.30 For the reasons set above relating to the failure of sites to deliver the supply of housing required combined with the lack an effective approach to safeguarded land, as set out in detail in our Issue 2 Statement, we consider the SALDD as currently prepared does not

¹³ CBRE Town Planning Assessment, Appendix A: Site Summaries

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provide for the minimum requirements of the Framework in respect of ongoing housing land availability.

Q6.13: Whether, having regard to the above matters, alternative and/or additional housing sites should be allocated for release during the plan period, so as to meet the requirements and intentions of the Core Strategy and the Framework.

- 1.31 As set out in the Assessment in Appendix 1, it is considered that 7 of the allocated sites are not developable, either by virtue of not being in a suitable location or there not being a reasonable prospect of the site being available. In addition, 6 sites have been identified as being suitable but the quantum of development proposed is considered to be overdevelopment. This represents a shortfall of at least 316 units required to meet TRDC's housing target during the plan period. Therefore the SALDD does not provide sufficient sites to meet the identified housing needs of the District, nor does it provide sufficient flexibility in the event that either Kings Langley or South Oxhey fails to deliver the housing numbers for which they are allocated.
- 1.32 Our Issue 2 Statement addresses the need to identify safeguarded land and the quantum and location of that land. Our Issue 2 Statement concludes that TRDC's approach to the provision of safeguarded land which should meet longer-term development needs stretching well beyond the plan period is not justified or effective. The SALDD should identify safeguarded land capable of delivering a minimum of 426 units (which represents a 3 year provision) or 710 dwellings (which represents a 5 year provision).
- 1.33 From the evidence presented the shortfall in housing numbers necessitates the allocation of alternative and additional sites to meet the housing needs of this plan period. In addition, safeguarding of additional housing sites is required to meet the housing needs beyond the plan period, given the tightly drawn nature of the Green Belt boundary within TRDC. The SALDD is not considered to represent the most appropriate strategy when considered against reasonable alternatives, nor does it meet the requirements and intentions of the Core Strategy.
- 1.34 **Q6.14: Whether, in this context, specific alternative and/or additional housing sites advanced by objectors to the SALDD have decisive merits.**
- 1.35 From the evidence presented it is our case that specific alternative and additional sites should be allocated and safeguarded to ensure the District's housing needs are met, and that an appropriate approach to Green Belt release is taken as required by the Framework. Land at Baldwins Lane is considered to have decisive merits as a housing site, which have been set out in full in our Statement under Issue 4.
- 1.36 Land at Baldwins Lane is situated in a sustainable location directly adjoining Croxley Green, a Key Centre, with very good existing and proposed transport links and access to local services. It has been demonstrated that the development of the site can be achieved in a sensitive manner whilst retaining the eastern part of the site as functioning Green Belt.
- 1.37 The site is suitable, available and deliverable within the plan period.

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CONCLUDING STATEMENT

- 1.38 It has been demonstrated that there is a shortfall in housing provision from allocated sites for this plan period and a failure to safeguard sufficient land for future housing. As set out above the SALDD is considered unsound as the approach to the allocation of sites is:
- not effective in identifying sufficient deliverable sites to meet the District’s housing needs over the plan period;
 - not justified due to the lack of a credible evidence base and the failure to properly consider reasonable alternatives;
 - not consistent with the intentions of the Core Strategy; and
 - not consistent with national policy set out within the Framework.
- 1.39 We consider that the SALDD could be made sound through the following amendments:
- Deletion of Site Allocations H2, H6, H17, H18, H28, H29 and H30;
 - Revisions to the density assumptions for Site Allocations as set out under our response to Question 6.6 above in relation to H9, H27, H33, H36, H37 and H38;
 - Allocation of additional land to meet the housing needs of the plan period and safeguard land to meet the housing needs beyond the plan period, including the removal of all of these sites from the Green Belt.
 - Specifically allocating Land at Baldwins Lane as a new Site Allocation for Housing, either identifying the north-west part of the site for 58 dwellings if combined with an allocation for a secondary school (on the south-west part), or alternatively identifying the western part of the site for 117 dwellings, if a secondary school is not required on this site. Proposed wording for the Land at Baldwins Lane is set out in our Issue 4 Statement.