Examination of the Sites Allocation Local Development Document

Hearing Session

Issue 7

Representations

by

Phase 2 Planning and Development Ltd

On behalf of

Mr S Lyne
Issue 7: Whether the SALDD creates an adequate framework for the regeneration of South Oxhey.

Executive Summary

- We are concerned that the selected site within the SALDD is not deliverable in the plan period due to a number of specific site constraints. The SALDD must build in sufficient flexibility to make up any shortfall identified;
- The SALDD will not meet OAN as required by the NPPF. It will neither provide sufficient flexibility to deliver the minimum housing targets set out in the CS. Therefore, a greater review of the Green Belt is required for the SALDD to be “positively prepared”;
- We enclose a recent press article dated the 30 September 2013 highlighting that the developer partner has pulled out of the project causing further set back and uncertainty to the project. This is the second developer now to pull out of the scheme within the last year and highlights the significant viability/deliverability concerns with the scheme; and
- It is therefore submitted that the inclusion of the Fairways Farm site as a “Proposed Housing Site Allocation” for up to 100 dwellings as a minimum will make the DPD “sound”.

Q7.1 Whether the net gain in housing envisaged is deliverable and appropriate to needs.

This proposed site area is not an allocation and is not suitable for this document. The Council has not identified precise and specific land parcels suitable to accommodate the dwelling capacity of 280 dwellings. The sites are windfall development and will be provided for within a subsequent SPD. The South Oxhey Town Centre allocation should not be pursued through the Site Allocations DPD without specific sites. There is no explanation as to how the quantum of development has been calculated, whether sites have been identified and whether landowners are willing to release land.

The redevelopment proposals present, among others, the following issues:

i. Whilst the site is within the ownership of the Council there is a need for the Council to buy back the leases on the properties to enable redevelopment and to regain ownership of a number of properties previously sold to housing associations. The Council has not produced any evidence to demonstrate the sites are deliverable at the point envisaged;

ii. There are significant number of existing uses in the area, which may not wish to be relocated or join in any redevelopment plans;

iii. It is likely that the Council would have to use Compulsory Purchase Orders to either assemble the land or relocate businesses which for this type of development may take years to complete;

iv. There is no evidence that the proposed development is viable;

v. Local consultation has shown that there is objection to the proposals by local stakeholders;

vi. It is understood that there is a significant delay in the process of trying to buy back homes from the local housing associations; and
vii. The status of various leasehold arrangements is currently unknown which would add a further layer of complexity in the land assembly.

The foregoing assessment (full text within Appendix 1) has therefore identified a potential shortfall of 828 dwellings in the Council’s housing land supply due to reliance on non-deliverable sites or sites which are not the most appropriate strategy when considered against the reasonable alternatives. It is therefore submitted that the Council must plan for additional housing site allocations to make up the shortfall because the current strategy is not “sound” as the SALDD is not “effective”, which requires the DPD to be: (i) deliverable and (ii) flexible.

We enclose a recent press article dated the 30 September 2013 highlighting that the developer partner has pulled out of the project causing further set back and uncertainty to the project (Appendix 2).

It is therefore considered that the SALDD must build in sufficient flexibility to make up any shortfall in housing delivery identified by our assessment. This will ultimately require the addition of further sites within the SALDD to ensure delivery of the minimum housing requirement set out in the adopted CS. This is required to make the SALDD “effective” i.e. deliverable and flexible.

Based on the foregoing it has been identified that the minimum changes necessary to make the DPD satisfy the tests of “soundness” by being “justified”, “effective” and “consistent with national policy” require the inclusion the Fairways Farm site but may also require further allocations.

It is therefore submitted that the inclusion of the Fairways Farm site as a “Proposed Housing Site Allocation” for up to 100 dwellings will make the DPD “sound”.

**Q7.2 Whether the resources are available to realise the vision for the area within the plan period.**

No further comments but we reserve the right to contribute to the debate at the Examination.

**Q7.3 Whether implementation mechanisms complementary to the land allocations for housing, shopping and mixed use development have been identified and, if so, whether there is sufficient confidence that they will be able to deploy the available resources effectively.**

No further comments but we reserve the right to contribute to the debate at the Examination.
Assessment of Proposed Housing Site Allocations

Background: The purpose of this assessment is to consider whether the sites selected by the Council in its Local Plan are developable - paragraph 47 of the NPPF defines developable as: available (now), suitable (close to facilities) and achievable (within 5 years). It is also to assess whether the Council has made sound planning judgement in the selection of its sites, having regard to the reasonable alternatives, and whether they are deliverable leading to the strategy delivering the minimum number of homes within the Plan period as required by the Core Strategy DPD.

If the findings are that the Council’s selected sites are not deliverable than it follows that the Site Allocations DPD is not sound.

<table>
<thead>
<tr>
<th>Site Ref</th>
<th>Constraints to delivery (are they developable in NPPF terms, policy restrictions, physical problems, or other)</th>
<th>Suggested amended dwelling provision taking into account delivery constraints</th>
</tr>
</thead>
</table>
| H(3) Kings Langley Employment Area | 1. The site is within Flood Zone (FZ) 3a and parts may fall within FZ3b.  
2. The site fails the Sequential Test and consequently is contrary to the NPPF (see Footnote 1 at page 8 for justification).  
3. The site may fail the Exception Test set out in the NPPF subject to the Environment Agency support.  
4. The site is in fragmented/multiple ownership and there is no control over delivery or prevention of potentially harmful piecemeal development. This will also risk prevention of development within the Plan period.  
5. The site is designated employment land and its economic role in the borough should be safeguarded as an important contributor towards employment growth.  
6. The site is identified as a wildlife site for its ecological importance and therefore there is a requirement to ensure that the wildlife interest is not prejudiced by the development. There is no indication that the Council has adequately assessed the potential for mitigation against any adverse impacts.  
7. Sport England would be a statutory consultee on any future planning application affecting the playing fields (and their ancillary facilities) at the site under the terms of the Town and Country Planning (Development Management Procedure) Order 2010 (SI No. 2184 (2010)) because the development would affect a playing field. All proposals affecting | In light of the foregoing it is submitted that the suggested capacity of the site be discounted to 135 new dwellings between the period 2013-2026. |
playing fields are assessed in relation to Sport England’s playing fields policy ‘A Sporting Future for the Playing Fields of England’ (1997). Sport England will normally oppose development that would lead to the loss of, or prejudice the use of, all or part of a playing field, without meeting at least one of the specific exception criteria identified in the above policy. This policy is broadly consistent with Government guidance on development affecting playing fields set out in paragraph 15 of PPG17. Sport England will maintain an objection position until the above is demonstrated which may result in delay or a reduction in the deliverable land on the site.

8. The Council has not identified precise and specific land parcels suitable to accommodate the dwelling capacity of 150. It is not clear where the housing is to be located. This will result in sporadic development in a non co-ordinated manner.

9. The Council has overestimated supply at the site. The NPPF has removed the minimum density requirement of 30 dwellings per hectare. The property market and housing demand is seeking larger family properties within lower density developments and no longer a significant proportion of flats.

In light of the foregoing the Council has not provided evidence that the site is developable for a scheme of 150 residential dwellings in accordance with the NPPF paragraph 47 which defines developable as: available (now), suitable (close to facilities) and achievable (within 5 years).

Accordingly, the boundaries of the site require redefining and the dwelling capacity amended to reflect a realistic density based on a national trend towards lower density development. We would recommend a 10% discount be applied to compensate for overestimate capacity as a minimum based on the Government’s ‘Tapping the Potential: Best practice in assessing urban housing capacity’ guideline figures. There is also concern that the proposals will not deliver housing within the Plan period and therefore the Council should build in flexibility within its Plan to meet the minimum East of England Plan requirements, which whilst no longer part of the development plan still forms the most robust estimates of housing need for the district and forms the housing figures adopted within the Core Strategy DPD.

| H(4) Mansion House Farm Equestrian Centre, Bedmond Road, Abbots Langley | 1. The site represents open unbounded Green Belt which performs an important Green Belt function as set out in the NPPF.  
2. The site does not represent a sustainable form of development.  

In light of the foregoing the Council has not provided evidence that the site is developable for a scheme of 15 residential dwellings in accordance with the NPPF paragraph 47 which defines | 1. The site represents open unbounded Green Belt which performs an important Green Belt function as set out in the NPPF.  
2. The site does not represent a sustainable form of development.  

In light of the foregoing it is submitted that the site be discounted from the supply by virtue of not being the most appropriate when considered against the reasonable alternatives. It therefore follows that the SAPSD as drafted is not “sound” because it is not |
developable as: available (now), suitable (close to facilities) and achievable (within 5 years).

Accordingly, we would recommend the site is removed from the supply as it represents an inappropriate location.

In light of the foregoing the Council has not provided evidence that the site is developable for a scheme of 15 residential dwellings in accordance with the NPPF paragraphs 47 which defines developable as: available (now), suitable (close to facilities) and achievable (within 5 years).

Accordingly, the dwelling capacity amended to reflect a realistic density based on a national trend towards lower density development. We would recommend a 10% discount be applied to compensate for overestimate capacity as a minimum based on the Government’s ‘Tapping the Potential: Best practice in assessing urban housing capacity’ guideline figures. There is also concern that the proposals will not deliver housing within the Plan period and therefore the Council should build in flexibility within its Plan to meet the minimum East of England Plan requirements, which whilst no longer part of the development plan still forms the most robust estimates of housing need for the district and forms the housing figures adopted within the Core Strategy DPD.

H(6) Leavesden Pumping Station, East Lane, Abbots Langley

1. The site is not sequentially preferable to other more accessible and sustainably located sites.
2. The site is currently open unbounded Green Belt and performs an important Green Belt function. It should be protected in line with the NPPF.
3. The site is a former pumping station and is likely to require remediation to safeguard against historic contamination.
4. The site has substandard highway access and may not be appropriate for additional movements.
5. The Council has overestimated supply at the site. The NPPF has removed the minimum density requirement of 30 dwellings per hectare. The property market and housing demand is seeking larger family properties within lower density developments and no longer a significant proportion of flats.

In light of the foregoing it is submitted that the site be discounted from the supply by virtue of not being the most appropriate when considered against the reasonable alternatives.

It therefore follows that the SAPSD as drafted is not “sound” because it is not “justified”. To be “justified” the SAPSD must be: (a) founded on a robust and credible evidence base; and (b) the most appropriate strategy when considered against the reasonable alternatives.

H(13) Killingdown Farm Buildings,

1. The site represents open unbounded Green Belt which performs an important Green Belt

In light of the foregoing it is submitted that the site be discounted from the supply by virtue of not being the most...
<table>
<thead>
<tr>
<th>Croxley Green</th>
<th>function as set out in the NPPF.</th>
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</thead>
<tbody>
<tr>
<td>2. The site is located within a rural conservation area with a number of Listed Buildings which shall be adversely impacted by additional development.</td>
<td></td>
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<tr>
<td>3. The site does not represent a sustainable form of development and there are other more suitable sites, which are appropriate for development.</td>
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<tr>
<td>Accordingly, we would recommend the site is removed from the supply as it represents an inappropriate location.</td>
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<thead>
<tr>
<th>H(16) Croxley Station Car Park and Timber Yard</th>
<th>1. There is a need to retain the existing car park and there is on over-estimate of available land for development.</th>
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<tr>
<td>2. The site will result in flats above shops and it is submitted that capacity of up to 25 is an over-estimate of capacity.</td>
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<tr>
<td>In light of the foregoing the Council has not provided evidence that the site is developable for a scheme of 25 residential dwellings in accordance with the NPPF paragraph 47 which defines developable as: available (now), suitable (close to facilities) and achievable (within 5 years).</td>
<td></td>
</tr>
<tr>
<td>Accordingly, the dwelling capacity should be amended to reflect a realistic density based on a national trend towards lower density development. We would recommend a significant discount be applied to compensate for overestimate capacity. There is also concern that the proposals will not deliver housing within the Plan period and therefore the Council should build in flexibility within its Plan to meet the minimum East of England Plan requirements, which whilst no longer part of the development plan still forms the most robust estimates of housing need for the district and forms the housing figures adopted within the Core Strategy DPD.</td>
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</tr>
</tbody>
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<tr>
<th>H(17) Branksome Lodge, Loudwater Lane, Loudwater</th>
<th>1. The site represents open unbounded Green Belt which performs an important Green Belt function as set out in the NPPF.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. The site is located within a rural conservation area with a number of Listed Buildings which shall be adversely impacted by additional development.</td>
<td></td>
</tr>
<tr>
<td>3. The site does not represent a sustainable form of development and there are other more suitable sites, which are appropriate for development.</td>
<td></td>
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</table>

In light of the foregoing it is submitted that the site be discounted from the supply by virtue of not being the most appropriate when considered against the reasonable alternatives. It therefore follows that the SAPSD as drafted is not "sound" because it is not "justified". To be "justified" the SAPSD must be: (a) founded on a robust and credible evidence base; and (b) the most appropriate strategy when considered against the reasonable alternatives.
### H(18) Land Rear of The Queens Drive, Mill End

1. The site abuts the M25 and would be the only one of its kind to be close to a major noise source which would be harmful to amenity and may not satisfy the tests set out in PPG24 relating to noise.
2. The site does not represent a sustainable form of development and there are other more suitable sites, which are appropriate for development.

Accordingly, we would recommend the site is removed from the supply as it represents an inappropriate location.

In light of the foregoing it is submitted that the site be discounted from the supply by virtue of not being the most appropriate when considered against the reasonable alternatives. It therefore follows that the SAPSD as drafted is not “sound” because it is not “justified”. To be “justified” the SAPSD must be: (a) founded on a robust and credible evidence base; and (b) the most appropriate strategy when considered against the reasonable alternatives.

### H(20) Long Island Exchange, Victoria Close, Rickmansworth

1. The site abuts a busy roundabout and would be close to a major noise source which would be harmful to amenity and may not satisfy the tests set out in PPG24 relating to noise.
2. The site does not represent a sustainable form of development and there are other more suitable sites, which are appropriate for development.

Accordingly, we would recommend the site is removed from the supply as it represents an inappropriate location.

In light of the foregoing it is submitted that the site be discounted from the supply by virtue of not being the most appropriate when considered against the reasonable alternatives. It therefore follows that the SAPSD as drafted is not “sound” because it is not “justified”. To be “justified” the SAPSD must be: (a) founded on a robust and credible evidence base; and (b) the most appropriate strategy when considered against the reasonable alternatives.

### H(21) Police Station, Rectory Road

1. The site abuts a busy roundabout and would be close to a major noise source which...
<table>
<thead>
<tr>
<th>Location</th>
<th>Details</th>
<th>Notes</th>
</tr>
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</table>
| Rickmansworth                  | 1. The site is within Flood Zone (FZ) 3a and parts may fall within FZ3b.  
2. The site fails the Sequential Test and consequently is contrary to the NPPF (see Footnote 1 at page 8 for justification).  
3. The site may fail the Exception Test set out in PPS25 subject to the Environment Agency support.  

In light of the foregoing the Council has not provided evidence that the site is developable for a scheme of 15 residential dwellings in accordance with the NPPF paragraph 47 which defines developable as: available (now), suitable (close to facilities) and achievable (within 5 years).

Accordingly, we would recommend the site is removed from the supply as it represents an inappropriate location. | Appropriate when considered against the reasonable alternatives. It therefore follows that the SAPSD as drafted is not “sound” because it is not “justified”. To be “justified” the SAPSD must be: (a) founded on a robust and credible evidence base; and (b) the most appropriate strategy when considered against the reasonable alternatives. |
| H(23) Langwood House, High Street, Rickmansworth | 1. The site is within Flood Zone (FZ) 3a and parts may fall within FZ3b.  
2. The site fails the Sequential Test and consequently is contrary to the NPPF (see Footnote 1 at page 8 for justification).  
3. The site may fail the Exception Test set out in PPS25 subject to the Environment Agency support.  

In light of the foregoing the Council has not provided evidence that the site is developable for a scheme of 15 residential dwellings in accordance with the NPPF paragraph 47 which defines developable as: available (now), suitable (close to facilities) and achievable (within 5 years).

Accordingly, we would recommend the site is removed from the supply as it represents an inappropriate location. | In light of the foregoing it is submitted that the site be discounted from the supply by virtue of not being the most appropriate when considered against the reasonable alternatives. It therefore follows that the SAPSD as drafted is not “sound” because it is not “justified”. To be “justified” the SAPSD must be: (a) founded on a robust and credible evidence base; and (b) the most appropriate strategy when considered against the reasonable alternatives. |
| H(24) Gas Works, Salter’s Close, Rickmansworth | 1. The site is within Flood Zone (FZ) 3a and parts may fall within FZ3b.  
2. The site fails the Sequential Test and consequently is contrary to the NPPF (see Footnote 1 at page 8 for justification).  
3. The site may fail the Exception Test set out in PPS25 subject to the Environment Agency support.  
4. The site is a former Gas Works and will require remediation to safeguard against historic contamination.  
5. The Council has overestimated supply at the site. The NPPF has removed the minimum density requirement of 30 dwellings per hectare. The property market and housing | 10 new dwellings between 2016-2026. |
demand is seeking larger family properties within lower density developments and no longer a significant proportion of flats.

In light of the foregoing the Council has not provided evidence that the site is developable for a scheme of 20 residential dwellings in accordance with the NPPF paragraph 47 which defines developable as: available (now), suitable (close to facilities) and achievable (within 5 years).

Accordingly, the dwelling capacity should be amended to reflect a realistic density based on a national trend towards lower density development. We would recommend a 10% discount be applied to compensate for overestimate capacity. There is also concern that the proposals will not deliver housing within the Plan period 2011-2015 as identified and therefore the Council should build in flexibility within its Plan to meet the minimum East of England Plan requirements.

<table>
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<tr>
<th>H(25) Bridge Motors, Church Street, Rickmansworth</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The site is within Flood Zone (FZ) 3a and parts may fall within FZ3b.</td>
</tr>
<tr>
<td>2. The site fails the Sequential Test and consequently is contrary to the NPPF (see Footnote 1 at page 8 for justification).</td>
</tr>
<tr>
<td>3. The site may fail the Exception Test set out in PPS25 subject to the Environment Agency support.</td>
</tr>
</tbody>
</table>

In light of the foregoing the Council has not provided evidence that the site is developable for a scheme of 10 residential dwellings in accordance with the NPPF paragraph 47 which defines developable as: available (now), suitable (close to facilities) and achievable (within 5 years).

Accordingly, we would recommend the site is removed from the supply as it represents an inappropriate location.

<table>
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<tr>
<th>H(26) Depot, Harefield Road, Rickmansworth</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The site is within Flood Zone (FZ) 3a and parts may fall within FZ3b.</td>
</tr>
<tr>
<td>2. The site fails the Sequential Test and consequently is contrary to the NPPF (see Footnote 1 at page 8 for justification).</td>
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<td>3. The site may fail the Exception Test set out in PPS25 subject to the Environment Agency support.</td>
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In light of the foregoing it is submitted that the site be discounted from the supply by virtue of not being the most appropriate when considered against the reasonable alternatives. It therefore follows that the SAPSD as drafted is not “sound” because it is not “justified”. To be “justified” the SAPSD must be: (a) founded on a robust and credible evidence base; and (b) the most appropriate strategy when considered against the reasonable alternatives.
In light of the foregoing the Council has not provided evidence that the site is developable for a scheme of 25 residential dwellings in accordance with the NPPF paragraph 47 which defines developable as: available (now), suitable (close to facilities) and achievable (within 5 years).

Accordingly, we would recommend the site is removed from the supply as it represents an inappropriate location.

Accordingly, the dwelling capacity should be amended to reflect a realistic density based on a national trend towards lower density development. We would recommend a 10% discount be applied to compensate for overestimate capacity. There is also concern that the proposals will not deliver housing within the Plan period 2016-2020 as identified and therefore the Council should build in flexibility within its Plan to meet the minimum East of England Plan requirements.

H(27) Depot, Stockers farm Road, Rickmansworth

1. The site is within Flood Zone (FZ) 3a and parts may fall within FZ3b.
2. The site fails the Sequential Test and consequently is contrary to the NPPF (see Footnote 1 at page 8 for justification).
3. The site may fail the Exception Test set out in the NPPF subject to the Environment Agency support.
4. The sites former use will require remediation to safeguard against historic contamination.
5. The Council has overestimated supply at the site. The site is approximately 1ha and likely to accommodate around 40 dwellings. The NPPF has removed the minimum density requirement of 30 dwellings per hectare. The property market and housing demand is seeking larger family properties within lower density developments and no longer a significant proportion of flats.

In light of the foregoing the Council has not provided evidence that the site is developable for a scheme of 60 residential dwellings in accordance with the NPPF paragraph 47 which defines developable as: available (now), suitable (close to facilities) and achievable (within 5 years).

Accordingly, the dwelling capacity should be amended to reflect a realistic density based on a national trend towards lower density development. We would recommend a 10% discount be applied to compensate for overestimate capacity. There is also concern that the proposals will not deliver housing within the Plan period 2016-2020 as identified and therefore the Council should build in flexibility within its Plan to meet the minimum East of England Plan requirements.

H(28) land South of Tolpits Lane

1. The site is within Flood Zone (FZ) 3a and parts may fall within FZ3b.
2. The site fails the Sequential Test and consequently is contrary to the NPPF (see Footnote 1 at page 8 for justification).
3. The site may fail the Exception Test set out in the NPPF subject to the Environment Agency support.
4. The Council has overestimated supply at the site. The NPPF has removed the minimum density requirement of 30 dwellings per hectare. The property market and housing demand is seeking larger family properties within lower density developments and no longer a significant proportion of flats.

In light of the foregoing the Council has not provided evidence that the site is developable for a scheme of 60 residential dwellings in accordance with the NPPF paragraph 47 which defines developable as: available (now), suitable (close to facilities) and achievable (within 5 years).

Accordingly, the dwelling capacity should be amended to reflect a realistic density based on a national trend towards lower density development. We would recommend a 10% discount be applied to compensate for overestimate capacity. There is also concern that the proposals will not deliver housing within the Plan period 2016-2020 as identified and therefore the Council should build in flexibility within its Plan to meet the minimum East of England Plan requirements.

40 new dwellings between 2016-2026.
demand is seeking larger family properties within lower density developments and no longer a significant proportion of flats.

In light of the foregoing the Council has not provided evidence that the site is developable for a scheme of 50 residential dwellings in accordance with the NPPF paragraph 47 which defines developable as: available (now), suitable (close to facilities) and achievable (within 5 years).

Accordingly, the dwelling capacity should be amended to reflect a realistic density based on a national trend towards lower density development. We would recommend a 10% discount be applied to compensate for overestimate capacity.

<table>
<thead>
<tr>
<th>H(29) Pocklington House, Eastbury</th>
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<tbody>
<tr>
<td>1. The site would result in the loss of much needed care home within the District. There are no provisions for re-allocation of additional care facilities and therefore the deliverability of the site is questioned.</td>
</tr>
<tr>
<td>2. The site does not represent a sustainable form of development and there are other more suitable sites, which are more appropriate for development.</td>
</tr>
<tr>
<td>Accordingly, we would recommend the site is removed from the supply as it represents an inappropriate location.</td>
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</table>

| 25 new dwellings between 2021-2026. |

<table>
<thead>
<tr>
<th>H(30) The Fairway, Green Lane, Oxhey Hall</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The site would result in the loss of much needed care home within the District. There are no provisions for re-allocation of additional care facilities and therefore the deliverability of the site is questioned.</td>
</tr>
<tr>
<td>2. The site does not represent a sustainable form of development and there are other more suitable sites, which are more appropriate for development.</td>
</tr>
<tr>
<td>Accordingly, we would recommend the site is removed from the supply as it represents an inappropriate location.</td>
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In light of the foregoing it is submitted that the site be discounted from the supply by virtue of not being the most appropriate when considered against the reasonable alternatives. It therefore follows that the SAPSD as drafted is not "sound" because it is not "justified". To be "justified" the SAPSD must be: (a) founded on a robust and credible evidence base; and (b) the most appropriate strategy when considered against the reasonable alternatives.
<table>
<thead>
<tr>
<th>Location</th>
<th>Reason for Removal</th>
<th>Alternatives.</th>
</tr>
</thead>
</table>
| Little Furze School, South Oxhey | 1. The site represents open unbounded Green Belt which performs an important Green Belt function as set out in the NPPF.  
2. The site is located within a local nature reserve which shall be adversely impacted by additional development.  
3. The site does not represent a sustainable form of development and there are other more suitable sites, which are appropriate for development. | In light of the foregoing it is submitted that the site be discounted from the supply by virtue of not being the most appropriate when considered against the reasonable alternatives. It therefore follows that the SAPSD as drafted is not “sound” because it is not “justified”. To be “justified” the SAPSD must be: (a) founded on a robust and credible evidence base; and (b) the most appropriate strategy when considered against the reasonable alternatives. |
| South Oxhey Town Centre         | 1. The proposed site area is not an allocation and is not suitable for this document. The Council has not identified precise and specific land parcels suitable to accommodate the dwelling capacity of 280. The sites are windfall development and will be provided for within a subsequent SPD. The South Oxhey Town Centre allocation should not be pursued through the Site Allocations DPD without specific sites.  
2. There is no explanation as to how the quantum of development has been calculated, whether sites have been identified and whether landowners are willing to release land. If the redevelopment proposals were for an area of undeveloped or unused land within one ownership, a development which includes a considerable number of dwellings would be achievable, however this is not realistic in this location.  
It can be seen that there are likely to be serious delivery problems associated with comprehensive redevelopment due to many factors including:  
- Whilst the site is within the ownership of the Council there is a need for the Council to buy back the leases on the properties to enable redevelopment and to regain ownership of a number of properties previously sold to housing associations. The Council has not produced any evidence to demonstrate the sites are deliverable at the point envisaged;  
- There are significant number of existing uses in the area, which may not wish to be relocated or join in any redevelopment plans; | In light of the foregoing it is submitted that the site be discounted from the supply by virtue of not being the most appropriate when considered against the reasonable alternatives. It therefore follows that the SAPSD as drafted is not “sound” because it is not “justified”. To be “justified” the SAPSD must be: (a) founded on a robust and credible evidence base; and (b) the most appropriate strategy when considered against the reasonable alternatives. |
• It is likely that the Council would have to use Compulsory Purchase Orders to either assemble the land or relocate businesses which for this type of development may take years to complete and there is no evidence of the Council’s intention in this respect;
• There is no evidence that the proposed development is viable;
• Local consultation has shown that there is objection to the proposals by local stakeholders;
• It is understood that there is a significant delay in the process of trying to buy back homes from the local housing associations; and
• The status of various leasehold arrangements is currently unknown which would add a further layer of complexity in the land assembly.

There is no evidence base to demonstrate that the sites are developable and likely to contribute to housing delivery at the point envisaged.

Such a scheme is likely to be predominantly smaller units are likely to come forward. In order to retain a mix of dwelling types, there will need to be a greater proportion of larger, family housing on less constrained sites, such as urban periphery sites. As such the high density assumptions are overstating the quantum of numbers even if the land assembly issues can be overcome.

3. The Council has overestimated supply at the site. The NPPF has removed the minimum density requirement of 30 dwellings per hectare. The property market and housing demand is seeking larger family properties within lower density developments and no longer a significant proportion of flats.

In light of the foregoing the Council has not provided evidence that the site is developable for a scheme of 280 residential dwellings in accordance with the NPPF paragraph 47 which defines developable as: available (now), suitable (close to facilities) and achievable (within 5 years).

Accordingly, the boundaries of the site require redefining and the dwelling capacity amended to reflect a realistic density based on a national trend towards lower density development. There is also concern that the proposals will not deliver housing within the Plan period and therefore the Council should build in flexibility within its Plan to meet the minimum East of England Plan requirements.
### H(36) Grapevine Public House, Prestwick Road, South Oxhey

1. The proposal will result in the loss of a significant area of Nascot Wood, which is open unbounded Green Belt which performs an important Green Belt function as set out in the NPPF.
2. The site does not represent a sustainable form of development and there are other more suitable sites, which are appropriate for development.

Accordingly, the boundaries of the site require redefining and the dwelling capacity amended to reflect a realistic density based on a national trend towards lower density development. We would recommend a 10% discount be applied to compensate for overestimate capacity as a minimum based on the Government’s ‘Tapping the Potential: Best practice in assessing urban housing capacity’ guideline figures. There is also concern that the proposals will not deliver housing within the Plan period and therefore the Council should build in flexibility within its Plan to meet the minimum East of England Plan requirements, which whilst no longer part of the development plan still forms the most robust estimates of housing need for the district and forms the housing figures adopted within the Core Strategy DPD.

In light of the foregoing it is submitted that the suggested capacity of the site be discounted to 13 new dwellings between the period 2013-2026.

### H(37) Land at Heysham Drive, South Oxhey

1. Sport England would be a statutory consultee on any future planning application affecting the playing fields (and their ancillary facilities) at the site under the terms of the Town and Country Planning (Development Management Procedure) Order 2010 (SI No. 2184 (2010)) because the development would affect a playing field. All proposals affecting playing fields are assessed in relation to Sport England’s playing fields policy ‘A Sporting Future for the Playing Fields of England’ (1997). Sport England will normally oppose development that would lead to the loss of, or prejudice the use of, all or part of a playing field, without meeting at least one of the specific exception criteria identified in the above policy. This policy is broadly consistent with Government guidance on development affecting playing fields set out in paragraph 15 of PPG17. Sport England will maintain an objection position until the above is demonstrated which may result in delay or a reduction in the deliverable land on the site.
2. The Council has overestimated supply at the site. The NPPF has removed the minimum density requirement of 30 dwellings per hectare. The property market and housing demand is seeking larger family properties within lower density developments and no longer a significant proportion of flats.

In light of the foregoing the Council has not provided evidence that the site is developable for a scheme of 50 residential dwellings in accordance with the NPPF paragraph 47 which defines

In light of the foregoing it is submitted that the site be discounted from the supply by virtue of not being the most appropriate when considered against the reasonable alternatives. It therefore follows that the SAPSD as drafted is not “sound” because it is not “justified”. To be “justified” the SAPSD must be: (a) founded on a robust and credible evidence base; and (b) the most appropriate strategy when considered against the reasonable alternatives.
**Total dwellings unlikely to be delivered in the Plan - 828 dwellings**

**Footnotes:** The footnotes below provide the background justification to our site assessment set out above.

1. The application of the sequential approach in the NPPF encourages decision makers to steer development to Flood Zone 1. Where there are no reasonably available sites in Flood Zone 1, planners should consider reasonably available sites in Flood Zone 2, applying the Exception Test if necessary. Where there are no reasonably available sites in Flood Zones 1 or 2, sites in Flood Zone 3 will be considered appropriate if the Exception Test is passed.

   The proposals for this site comprise residential development, which is classified in NPPF as ‘more vulnerable’ development. The site falls within flood zone 3a. Accordingly to pass the Sequential Test the application proposals must demonstrate that there are no “reasonably available” sites in a lower flood risk zone or at a lower risk of flooding.

   There are a number of available sites within lower risk flood zones and therefore the site does not satisfy the Sequential Test set out in the NPPF.

<table>
<thead>
<tr>
<th><strong>Site</strong></th>
<th><strong>Description</strong></th>
<th><strong>Recommendation</strong></th>
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<tr>
<td>H(38) Rear of Lytham Avenue, South Oxhey</td>
<td>The site adjoins a major electricity sub station with overhead cables run on pylons directly over the site. There are safer, better environments to deliver housing. The site does not represent a sustainable form of development and there are other more suitable sites, which are appropriate for development. In light of the foregoing the Council has not provided evidence that the site is developable for in accordance with the NPPF paragraph 47 which defines developable as: available (now), suitable (close to facilities) and achievable (within 5 years). Further, we would recommend the site is removed from the supply as it represents an inappropriate location.</td>
<td>In light of the foregoing it is submitted that the site be discounted from the supply by virtue of not being the most appropriate when considered against the reasonable alternatives. It therefore follows that the SAPSD as drafted is not “sound” because it is not “justified”. To be “justified” the SAPSD must be: (a) founded on a robust and credible evidence base; and (b) the most appropriate strategy when considered against the reasonable alternatives.</td>
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Housing association, Catalyst, pulls out of South Oxhey initiative

Ambitions to redevelop South Oxhey have received a blow after a housing association pulled out of the project.

London-based Catalyst had been involved in negotiation over the initiative to 450 new homes to the estate.

The housing association is the second to abandon the scheme after Three Rivers’ main provider, Thrive, quit last year.

Councillor Ann Shaw, the leader of Three Rivers District Council, described Catalyst’s exit was “an irritation” rather than a major blow to the scheme.

She said: "It is just means we have to review the way we are dealing with it. We are not going to abandon it.

"We had had long discussions with them (Catalyst). But I would much rather find they are not interested at the moment than further down the line. It is an irritation.

"There is so much decanting with residents and shopkeepers that we have never said this would be done at top speed. It needs to be done at a speed that accommodates that."

The South Oxhey Initiative was devised after 130 flats between Fairfield Avenue and Oxhey Drive, including some 98 currently let to Thrive tenants, have been identified by the council as being beyond repair and in need of replacing.

Under current plans, these flats would be demolished to make way for 450 new homes, a 30,000 sq ft supermarket and a new retail area.

Half the new flats will be market rate and the other half will be "affordable".

Thrive Homes had been the initial housing provider in negotiations over the project but its chief executive, Elspeth Mackenzie, left the South Oxhey initiative steering committee, in November.

At the time she cited the council not matching the price it wants for 98 Thrive homes on the site as her reason.

However the council offered a different reason saying she had stepped down from the committee to avoid a commercial conflict of interest.