Examination of the Three Rivers Core Strategy Development Plan Document
Submission Statement

Matter 2: Housing Supply and Delivery

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INTRODUCTION

1. This Submission Statement has been prepared by DLP Planning Ltd on behalf of Taylor Wimpey UK Ltd (Representor ref:10009) who own land at Woodside Road, Leavesden and Garston.

SUBMISSION

2. The following questions are posed under the Inspector's 'Housing Supply and Delivery' heading:

   \( (i) \) The Submission Core Strategy Track Changes (Feb 2011) (CD04) proposes a housing supply which departs from the adopted RS. Is there sufficient local evidence, in addition to the intention to revoke the RS, to outweigh this departure from the adopted development plan?

   \( (ii) \) Does the CS take account of recent changes to PPS3 in assessing the level of housing to be delivered in the urban areas?

   \( (iii) \) Can the reliance on windfall sites in the later years of the plan period be justified?

   \( (iv) \) Does the housing trajectory indicate when Green Belt or greenfield land will be needed to meet the CS housing supply?

   \( (v) \) Is the approximate percentage of sites for housing supply split between the urban area and the edge of existing settlements justified by evidence?

3. Recent statements from Government make it clear that the direction of movement for planning policy is to provide an environment where the delivery of housing is increased from past rates under the previous Government. On 23 March 2011, the Rt Hon Greg Clark the Minister of State for Decentralisation issued a written statement following the Budget entitled 'Planning for Growth', which outlines the Government's commitment to introduce a strong presumption in favour of sustainable development in the forthcoming National Planning Policy Framework. This will:-

   "...expect local planning authorities to plan positively for new development; to deal promptly and favourably with applications that comply with up-to-date plans and national planning policies; and wherever possible to approve applications where plans are absent, out-of-date, silent or indeterminate."
Local planning authorities should therefore press ahead without delay in preparing up-to-date development plans, and should use that opportunity to be proactive in driving and supporting the growth that this country needs. They should make every effort to identify and meet the housing, business and other development needs of their areas, and respond positively to wider opportunities for growth, taking full account of relevant economic signals such as land prices. Authorities should work together to ensure that needs and opportunities that extend beyond (or cannot be met within) their own boundaries are identified and accommodated in a sustainable way, such as housing market requirements that cover a number of areas, and the strategic infrastructure necessary to support growth.” (DLP Emphasis)

4. The East of England Plan (2008) forms part of the statutory Development Plan, following the High Court’s ruling that the Secretary of State’s attempt to revoke Regional Strategies was unlawful (Cala Homes [South] Ltd –v- Secretary of State for Communities & Local Government & Winchester City Council [2010].

5. In response to that judgement, on 10th November 2010 the Secretary of State made a Statement which, together with a letter from the Government’s Chief Planner, advised that that the Government’s intention to revoke Regional Strategies through the forthcoming Localism Bill was a material consideration to be taken into account by decision makers in any decision where the policies of the Regional Strategies are relevant.

6. The Statement and letter of 10th November were subject to a separate application for Judicial Review (Cala Homes [South] Ltd –v- Secretary of State for Communities & Local Government & Winchester City Council [2011]). On 7th February 2011 the Court ruled that the Secretary of State’s Statement is capable as a matter of law of being a material consideration, but that the weight to be attached to that Statement in any relevant case is a matter for the decision maker to decide.

7. Accordingly, Regional Strategies remain part of the Development Plan and regard must still be had to them in any decision where the policies in such Strategies are relevant to the matter under consideration; the weight to be attached to the Regional Strategy, and to the proposed intention to revoke them, is a matter for the decision maker to determine in each case. Notwithstanding this it was the Secretary of State’s advice at paragraph 10 of the guidance, attached to the letter dated 6 July 2010, that local authorities may retain their existing housing targets as set out in the Regional
Strategies. There is therefore no requirement for Three Rivers District Council to reduce its housing targets as set out in the East of England Plan (2008).

8. The housing target set for Three Rivers District Council in the East of England Plan (2008) by Policy H1 is 4,000 homes from 2001 – 2021, an average of 200 dwellings per year. The Plan also assumed that the average rate of provision after 2021 should be the same, requiring Three Rivers to provide for 5,000 new dwellings between 2001 and 2026. The housing figures in the Regional Strategy are a minimum to be achieved and local authorities should plan for the level of growth that is needed rather than the absolute minimum number of new homes. The evidence base for the East of England Plan (2008) established that this level of housing growth in the District to be appropriate and Three Rivers District Council has been working towards this target in the Core Strategy until the Publication of the Proposed Changes to the Proposed Submission Draft Core Strategy, published on 29th October 2010.

9. The Three Rivers District Council AMR (December 2010) states that the number of additional dwellings built since 2001 (01/02 to 09/10) is 1,974, an annual average of 219 dwellings. This is above the East of England Plan (2008) target of 200 dwellings per annum confirming that there is a demand for new homes within the District.

10. As identified in the Core Strategy Background Paper produced by Three River District Council entitled ‘Targets for Housing’ (May 2011), in November 2010 the CLG Household Projections by District 1991-2033 were released. These show an increase in households of 9,000 additional households in the period 2001 to 2026, an average of 360 dwellings per year. Paragraph 33 of PPS3 (June 2010) is clear that when determining local housing provision, local planning authorities should take into account the Government’s latest published household projections.

11. The Core Strategy identifies the housing requirements for the District to 2026. This period of time is not sufficient for Three Rivers District Council to produce a Site Allocations Development Plan Document for a full 15 years. The CLG projections project up to 2033 and extending the time period of the Core Strategy to this date would add flexibility in line with paragraph 4.46 of PPS12 (June 2008).
12. The background paper also identifies that the Chelmer Model Zero-Net Migration scenario from the projections commissioned for the review of the East of England Plan to 2031, show that the number of dwellings in Three Rivers is expected to increase by 7,012 between 2001 and 2026, an average of 280 dwellings per year. It also identifies that the Autumn 2010 run of the East of England Forecasting model show that the demand for dwellings in Three Rivers is forecast to increase by 7,612 between 2001 and 2026, an average of 350 dwellings per year.

13. A requirement figure of 191-193 dwellings a year for the period 2007 to 2021 is set out in figures 149 and 150 of the SHMA (2010), although this is based upon the concept that there is a demand for -26 market dwellings a year in Three Rivers. Given even the low rates of recent market sales this appears to be an unsupportable figure when compared to reality and therefore would cast considerable doubt upon the soundness of the SHMA (2010) as a reliable part of the evidence base. However, the overall requirement set out in the SHMA (2010) is similar to that set out in the East of England Plan (2008) target of 200 dwellings per annum. The SHMA (2010) identifies that the need or demand for housing has not reduced by any significant degree and it does not support the housing figure in the Core Strategy.

14. The SHMA (2010) suggests an unconstrained annual figure for the district of 380 dwellings a year (figure 154) while table 156 states that District based long term projections would require some 443 dwellings to be provided annually.

15. In terms of the approach to mix of housing, the SHMA (2010) models the impact of affordability on the need for market housing; it does not however take into account the impact of increasing/decreasing supply on affordability. Reducing market dwellings to the level being proposed in the SHMA (2010) would remove new build market housing from the District, which is not a credible outcome. The ability to provide additional market dwellings has the potential to reduce prices and hence encourage affordability.

16. If new housing is not provided to the extent that is required, local businesses may struggle to recruit younger people as they have to move out of the area to afford a home. It would be inappropriate to expect neighbouring areas to provide for the housing needs of people that contribute to the local economy of the District.
17. It is understood that one of the reasons why Three Rivers District Council is seeking to reduce its housing targets is due to infrastructure concerns. A potential way of paying for new and improved infrastructure would be by retaining the East of England Plan (2008) annual target and ensuring the amount of money from new housing development within the District is maximised through the New Homes Bonus.

18. Paragraph 5.55 of the Core Strategy identifies that there continues to be a demand for small and medium sized units for all types of employment and it remains important to protect and provide these types of units. If there are not enough housing sites allocated to meet the demand for new homes within the District then it is highly likely that the employment units the Council are looking to protect will become under pressure for redevelopment or conversion to residential use; especially considering the Government’s current consultation on proposals to scrap the need for change of use permission for converting commercial property into residential.

19. The Background Paper (May 2011) states “taking into account the completion of 1,974 dwellings between 2001 and 2010 (net), the SHLAA indicates that the capacity of the District 2001 – 2026 is 5,914 dwellings, of which 3,543 are urban (including 380 from windfalls) and 2,371 are greenfield.” The SHLAA (April 2010) therefore identifies that there is more than sufficient capacity within the District to continue with the East of England Plan (2008) target of 200 dwellings per annum.

20. Appropriately located planned developments would not go against Green Belt principles and they could complement and improve local character. Green Belt policy is not an environmental designation and not all Green Belt is of high amenity or recreational value. It is therefore not accepted that the protection of the Green Belt is a justified reason for reducing the housing target for the District and the review of the Green Belt to a greater degree to which the Council now envisages can be considered when planning for future housing requirements within the District, as discussed in our Submission Statement submitted in respect of Matter 3 on Green Belt.
21. The Government is clear that local planning authorities should plan positively for new development and that they should make every effort to meet the housing needs of their areas. The Regional Strategy remains part of the development plan and part of the decision making process and there is sufficient capacity within the District to accommodate the required number of houses. Three Rivers District Council is obliged by statute to prepare the Core Strategy to generally accord with the Regional Strategy. The Council’s proposal to reduce the housing target below the East of England Plan (2008) target is not justified as local evidence identifies that there is a high demand/need for new housing within the District. Therefore the Core Strategy, as previously drafted, should ensure that, as a minimum, it is planning for the housing targets set by the East of England Plan (2008) to make the document sound.

22. Objective four of the Spatial Strategy states that in identifying sites within the Green Belt, priority will be given to previously developed sites over greenfield sites and these will be identified at the most sustainable locations on the edge of the Principal Town, Key Centres and Secondary Centres, as defined in the settlement hierarchy. The Housing Trajectory states when sites on the edge of existing settlements will be required but does not state whether these are greenfield or previously developed sites. It is therefore considered that the Housing Trajectory needs to be revised to be clear when greenfield sites are required to provide clarity for developers and to increase the effectiveness of the plan.

23. PPS3 (June 2010) has been amended since the publication of the update to the SHLAA (April 2010). Garden land is no longer classified as previously developed land and it is noted that the SHLAA update (April 2010) identifies a number of gardens as ‘urban sites’. These sites may be within the urban area, but are strictly greenfield by definition. The Core Strategy needs to consider what consequences the changes to PPS3 (June 2010) will mean to the development strategy. It is highly likely that the supply of housing on previously developed land will be considerably less than it has been previously, which means that more housing will be required on greenfield sites.

24. It is understood that the Council is not intending to rely on windfall sites until 2021/22. This would be in line with PPS3 (June 2010), which advises that allowances for windfalls should not be included in the first 10 years of land supply unless local
planning authorities can provide robust evidence of genuine local circumstances that prevent specific sites being identified. The proposed windfall allowance of 38 dwellings has been assessed in the SHLAA update (April 2010) using monitoring information and therefore seems justified. However, the SHLAA update (April 2010) does not take into account the changes to PPS3 (June 2010) and there should not be an undue reliance on windfall sites at the expense of planned greenfield allocations that can help ensure the delivery of the development strategy.

25. It is noted that Three Rivers District Council wishes to retain the East of England Plan (2008) target of 60% of new housing to be provided on previously developed land across the District over the plan period. However, poor access, land assembly and decontamination and remediation are problems often encountered with bringing forward previously developed land within urban areas. Some land contamination can take a long time to remediate or due to a combination of economic and environmental factors the land cannot be rendered suitable for redevelopment. The timescales and costs for obtaining planning and/or other consents can make developments unachievable.

26. The problems encountered with bringing forward previously developed land often extend the timescales for the delivery of brownfield sites. This is reflected in the Summary Trajectory (Table 6.1) of the SHLAA update (April 2010), which identifies that the delivery of urban capacity sites would need to be spread over a twenty year period. Conversely the greenfield sites assessed as deliverable/developable that would provide 2,371 dwellings in the District could come forward within a ten year period. In light of the delays that can occur with bringing forward previously developed land, a greater reliance should be made on planned Green Belt sites to ensure that the required number of homes is provided within the District over the plan period. It is therefore considered that the percentage target of 75% of the total housing development in the period 2001-2026 to be provided in the urban area should be removed from the Core Strategy and Policy CP2 should only make reference to focussing development towards the urban area, as this target is unlikely to be effective in delivering the required number of houses over the plan period.
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