

Hearing Statement – Matter 2

Three Rivers District Core Strategy Examination

The Wellcome Trust Ltd – Representor Reference 10016
The Kings Langley Estate, Hertfordshire
23 May 2011





Table of Contents

1	Introduction.....	1
2	Housing Supply and Delivery (CP2, Tables 2, 3, Fig 6, Appendix 2)	3
3	Affordable Housing (CP4).....	5
4	Conclusion.....	6

1 Introduction

- 1.1 This Hearing Statement has been prepared by Bidwells on behalf of our client The Wellcome Trust Ltd in response to the Matters and Questions posed by The Planning Inspector appointed to examine the soundness of the Three Rivers District Core Strategy.
- 1.2 This Hearing Statement has been prepared by David Bainbridge, Partner in the Planning Division of Bidwells. I hold a Master of Arts Honours Degree in Town Planning obtained from Heriot-Watt University, Edinburgh. I have been a corporate member of The Royal Town Planning Institute since November 1999. I have 13 years professional planning experience gained from positions within local planning authorities and private consultancy.
- 1.3 This Hearing Statement responds to Version 9 of the Programme for Hearing Sessions, dated 19 May 2011. The same terminology used within this version is used in this Hearing Statement and therefore the Three Rivers District Core Strategy is referred to as "CS".
- 1.4 The CS has been prepared and submitted by Three Rivers District Council ("the Council") as local planning authority.
- 1.5 This Hearing Statement specifically responds to Matter 2 Housing Supply and Delivery (CP2, Tables 2, 3, Fig 6, Appendix 2) and Affordable Housing (CP4).
- 1.6 As requested by the Planning Inspector this Hearing Statement is succinct, it avoids unnecessary detail and repetition of the original representations. Only the questions as they relate to the original representations have been answered. The 3,000 word limit for this matter has not been exceeded in the preparation of this Hearing Statement.
- 1.7 The Wellcome Trust Ltd owns and manages the Kings Langley Estate within Three Rivers District and on behalf of our client, Bidwells, has participated in every consultation stage on the CS and other relevant aspects of the Three Rivers District LDF. Bidwells on behalf of the client has prepared and submitted the following representations to the Council:
- Written response to the Affordable Housing Supplementary Planning Document – deadline of 27 May 2011
 - Five Year Supply of Land for Housing Assessment Pro-Forma prepared in respect of Land West of 10 Toms Lane, Kings Langley on 5 May 2011
 - Written response to the Site Allocations: Issues and Options consultation, dated 10 December 2010
 - Written response to the CS Proposed Submission, dated 10 December 2010

- Written response to the CS Publication, dated 23 July 2010
 - Written response to CS Further Preferred Options, dated 3 December 2009
 - Written response to CS Preferred Options, dated 19 March 2009
 - Written response to CS: Supplemental Issues and Options Paper, dated September 2007
 - Written response to Open Space, Amenity and Children's Playspace: Supplementary Planning Document, dated September 2007
 - Written response to Sustainable Communities: Supplementary Planning Document, dated August 2007
- 1.8 I can confirm 4 no. hardcopies of this Hearing Statement (comprising a copy for the 1 no. listed participant plus 3 no copies) and an electronic copy have been submitted to the Programme Officer by the deadline of midday, Tuesday 24 May 2011.
- 1.9 This Hearing Statement is submitted in the form of written representations only because Bidwells on behalf of The Wellcome Trust Ltd is not attending the hearing sessions as participants. Notwithstanding this, The Wellcome Trust Ltd, remains a key stakeholder in Three Rivers District and will continue active engagement in the preparation of all relevant aspects of the Three Rivers District LDF.

2 **Housing Supply and Delivery (CP2, Tables 2, 3, Fig 6, Appendix 2)**

2.1 Question 2.1

CP2 states the Council will identify sufficient land for housing in the District to meet the Three Rivers housing target of 180 dwellings per year until 2026. There is not sufficient evidence, in addition to the intention to revoke the RS, to outweigh this departure from the adopted development plan.

Paragraph 5.8 in the CS states the Council considers it appropriate to provide 4,500 dwellings to 2026 being a target of 180 dwellings per year. There is no evidence to support this approach and the concern is that this reduced housing requirement is not locally-derived based on robust evidence but rather represents the aspiration of the Council to further limit new housing in the District.

2.2 Question 2.3

Relevant changes to PPS3 have included the re-classification of housing garden land so it is no longer classed as previously developed and the national indicative minimum density of 30 dwellings per hectare has been omitted. There is no evidence these changes have been taken into account in the CS.

2.3 Question 2.5

The windfall allowance from 2021 proposed by the Council amounts to 190 dwellings and this is more than an entire year's worth of housing requirement as currently proposed (180 dwellings). The definition of windfall sites in PPS3 states that it comprises previously developed sites that have become unexpectedly available. A windfall allowance should include an expectation of future trends and this is not in evidence in the CS.

2.4 Question 2.6

The housing trajectory does not indicate when Green Belt or green field land will be needed to meet the CS housing supply. Notwithstanding this CP2 some further detail.

2.5 Question 2.7

There is no confirmation in the CS as to what evidence justifies the proposed approximate percentage split between the urban area and edge of settlements in CP2. Paragraph 5.14 states the SHLAA and other evidence base information have been used to project the expected proportions. However, the circumstances surrounding sites in the District will tend to change and because the CS covers a period of at least 15 years from adoption then this split is not justified as it

is inflexible. It is also notable that more than 1 years worth of housing supply is included within the housing trajectory from windfalls which if the correct PPS3 definition has been applied by the Council should all be previously developed sites.

2.6 Question 2.8

CP2 should clearly state that Green Belt sites will form part of the housing land supply within the District required to contribute towards meeting the housing requirement. The current drafting does not make reference to this and hence is ambiguous.

Whilst CP2 does state the Site Allocations and Policies DPD will set out an indicative phasing strategy for development of sites this must be based on the CS. CP2 does make reference to conditions where the early release of Green Belt sites will be considered but it is not clear whether it is intended for the CS to be reviewed to enable a Green Belt review or not?

3 **Affordable Housing (CP4)**

3.1 Question 2.11

The Council is out to consultation on its Affordable Housing Supplementary Planning Document which seeks a threshold of 1 dwellings for 45% affordable provision regardless of whether grant funding is available or not. This duplicates CP4 and the timing of the SPD consultation is unfortunate given that efforts and attentions are on the CS. As a matter of procedure the Council should undertake not to bring into effect the SPD until the outcome of the CS examination is known and providing the CS is adopted first.

The threshold of one dwelling will severely constrain the supply of housing in the District on smaller sites. In part, this is because if provision is not feasible and/or viable on-site then the commuted sum at £1,161 per square metre would render development of larger family-orientated housing as unviable.

CP4 and the SPD simply can not be based on an up to date robust viability assessment and therefore the threshold should remain at 15 dwellings and the percentage requirement and commuted sum be considered in light of a market-informed viability assessment.

3.2 Question 2.12

There is no evidence to support the restriction of commuted payments to sites of 9 dwellings or under. If the changes under 2.11 are taken forward then this ceiling will need to be considered again.

3.3 Question 2.13

It is not possible to allocate housing sites at an affordable housing percentage in excess of the target in the policy because at this relatively early stage in the planning promotion, development and sales of housing it is often the case that land value is not yet settled and there will be no planning permission to determine sales revenue. Therefore, it will only rarely be the case that sufficient information is known at the allocation stage to enable for example 50% affordable housing.

4 **Conclusion**

4.1 In accordance with the wishes of the Planning Inspector, the following brief concluding section is provided.

4.2 What Part of the CS is unsound?

The housing requirements to 2026 of 180 per year.

The affordable housing requirement for every residential site in the district.

4.3 Which soundness criterion it fails?

This is not justified or effective as it is not the most reasonable from the alternatives and it will fail delivery of housing.

4.4 Why it fails (by reference to the key parts of Bidwells' original representations)

In response to the CS Proposed Submission, Bidwells identified the non-conformity of the proposed reduced housing requirements.

In response to the CS Preferred Options Stage, Bidwells identified concerns about the then CP4 (March 2009).

4.5 How the CS can be made sound.

The housing requirements to 2026 should be 200 per year.

CP2 should clearly state that Green Belt sites will form part of the housing land supply within the District required to contribute towards meeting the housing requirement. The current drafting does not make reference to this and hence is ambiguous.

CP4 should maintain the threshold of 15 dwellings, and the percentage requirement and commuted sum be considered in light of a market-informed viability assessment.

4.6 The precise change and/or wording being sought.

The precise changes are identified under 4.5 above and this will entail changes to various parts of the CS including CP2 and CP4. It is considered these changes are within the scope of the examination process and hence will not require an unsound finding on the CS.

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