

Closing Submissions to the Three Rivers SALDD Examination – 31 October 2013

Michael Calder's address and closing submissions to Mr Keith Manning:

1. The Council has our sympathy that it sought to embark on the process of preparing its SALDD during the publication of the NPPF, however, the NPPF did come into force during the process and the Council has had every opportunity to take a pause and ensure compliance of the DPD with the Framework. The Council has chosen to prepare a DPD which is not compliant with the Framework.
2. You have heard from me during the course of the Examination that the SALDD is not 'positively prepared' as it is not based on a strategy which seeks to meet Objectively Assessed Needs and is consequently unsound in this respect.
3. You have also heard that the SALDD does not provide "safeguarded land" in the Green Belt in line with the Framework, and is therefore not consistent with national policy and is consequently unsound in this respect.
4. Sir, you have heard from me over the course of this examination that a significant number of the Council's site allocations are not deliverable or developable (footnote 11 and 12 of the NPPF) as a number of the sites are not within a suitable location, they are not sustainably located and do not conform with the Framework in this respect and in respect of the approach to Green Belt. Further, they do not accord with the Core Strategy (CS) Spatial Strategy, CS Policy CP2, as a number of sites are not located in the most sustainable locations on the edge of settlements that accord with the settlement hierarchy and spatial strategy.
5. In isolation you may say some of these sites would not go to the heart of soundness of the Plan but combined we believe these issues taken as a whole illustrates a lack of confidence in the Plan to deliver to minimum housing numbers set out in the CS. This lack of confidence would go to the heart of soundness given the Council's approach to allocate "just enough" housing without flexibility.
6. We believe the sites listed in my summary schedule are not individually or cumulatively 'justified' or 'effective' or 'consistent with national policy' and consequently the Plan would be unsound.
7. South Oxhey remains uncertain; you heard my submissions at Issue 7 with regard to the ability of this site to deliver in the Plan period. There is further concern with the approach to Kings Langley. The Council's approach will not bring forward a comprehensive mixed use development that will deliver the competing commercial and residential uses sought. Instead you heard in the hearing specific session that the approach is ad-hoc and piecemeal and not a plan led approach which would give confidence.
8. We feel the Council has not built in sufficient flexibility in this plan to deliver the minimum housing requirements of the CS. We have used the phrase "just enough" to describe the

approach.

9. Sir, you have heard that the consequence of the above is that there is a requirement for additional and alternative sites to be included within the SALDD to make it sound. These should be located in accordance with the Framework and CS Spatial Strategy i.e. in the absence of further capacity within the settlements, the most sustainable sites on the edge of key centres (i.e. in the Green Belt) in accordance with the settlement hierarchy.
10. We have identified the land Fairways Farm as a site, among others, that would be suitable for allocation and consequently address the lack of confidence in the plan and provide “more than enough” housing to meet the CS minimum numbers which would make the SALDD sound.
11. We therefore would urge you to recommend among the main modifications to this plan that an additional sites in the order to accommodate up to 300 dwellings (as evidenced by our site summary table) to make the plan ‘justified’ and ‘effective’ and therefore sound. The Fairways Farm site is a commendable candidate to deliver housing on GB land which does not perform a GB function.