

Hertsmere Borough Council Revised Core Strategy (RCS) DPD Examination

Submission by Stevenage Borough Council (4593)

Day 1 ~ Overall Strategy and Housing Provision

- 1.1 Is the RCS consistent with national policy and in general conformity with the East of England Plan (while it remains part of the development plan)? Has the evidence base for the East of England Plan been appropriately taken into account in preparation of the RCS?
- 1.2 In general, is the RCS based on a sound assessment of the socio-economic and environmental characteristics of the borough and its relationship with adjacent areas? Does it take proper account of the strategies and plans for those areas? Has the duty to co-operate been satisfied?
- 1.3 Is there a sound basis for the overall housing target? In particular, is it based on robust assessments of local need and demand, the implications for affordable housing supply, economic growth and other relevant factors? Is it clear how the target figure in the RCS has been selected? In summary, is the RCS consistent with national policy for housing provision?
- 1.4 Is the overall housing target deliverable? Is there adequate justification for the supply that is expected from existing commitments and identified sites in the Strategic Housing Land Availability Assessment? Is the assumed windfalls contribution soundly based? Is there sufficient evidence that the supply expectations are consistent with the need to protect employment land expressed in the RCS?
- 1.5 Is the reliance on the Elstree Way Corridor for housing supply in the plan period justified? Has it been given appropriate priority in the RCS and is the policy area clearly identified? What is the current timescale for adoption of the AAP? Does the reference in Policy CS22 to the Elstree Way Supplementary Planning Guidance give reasonably clear guidance for development in the interim period? What is the status of the Feasibility Study (2011)?
- 1.6 Is the proposed phasing of housing supply (Policy CS3) justified and likely to be effective?

The statement in this section relates to Issues 1.1, 1.2 & 1.3

1. This statement sets out two alternate cases. These are to be applied respectively in the event that:
 - the East of England Plan (EoEP) remains part of the statutory Development Plan at the time of the hearing and / or decision; or
 - The EoEP has been revoked at the time of the hearing and / or decision.
2. These are discussed in turn below as 'Case A' and 'Case B' respectively. It is considered that the RCS fails the tests of soundness in both cases.

Case A

3. The RCS fails the test of general conformity with the Regional Strategy.
4. The quantum of housing proposed by RCS Policy CS1 is below that required by Policy H1 of the East of England Plan (c.f. the Inspector's 29 February 2012 letter to the Council).
5. The quantum of housing proposed by RCS Policy CS1 is also below that which would be required if a lower rate of 250 dwellings per annum was 'rolled forward' for the period beyond 2021 (c.f. the Council's response to the above dated 12 March 2012).
6. The Council cite the examples of the Core Strategies of Three Rivers District Council and others where a lower rate of development post-2021 was deemed acceptable by the Inspector.
7. We would alternately highlight the example of the Core Strategy of Broxbourne Borough Council where the Inspector held that:

The CS would not fully meet a minimum requirement for 280 dpa in the last five years of the plan period. The failure to provide for an essential component of the EEP, in the absence of any compelling evidence about housing need to the contrary, means that the CS would not be broadly in conformity with this the [sic] development plan.

8. We consider that the approach taken by the Inspector in Broxbourne, whereby his recommendations ensure that the minimum requirements of the EoEP are at least met, should be applied here.
9. Hertfordshire suffers from acute levels of housing need. SHMAs across the county have identified high levels of affordable housing need and severe affordability issues. This can be linked to significantly higher than average house prices, along with local areas of (relative) low-earnings and deprivation.
10. Under-provision of housing ~ by whatever magnitude ~ has implications for overall housing need and supply, nearby authorities' own decisions on housing matters and the operation of the sub-regional housing market.
11. Although not explicitly acknowledged, the EoEP housing strategy for Hertfordshire effectively employs a redistributive approach. This allows some authorities to under-provide against locally identified needs on the basis that it will be offset by over-provision elsewhere.
12. Any further reduction in planned housing provision against EoEP minimum requirements should be strongly resisted.
13. The National Planning Policy Framework (NPPF) was published in March 2012. The Duty to Co-operate became a statutory requirement upon plan-making authorities following enactment of the Localism Act in November 2011.
14. Between them, these require a positive and pro-active approach to meeting development needs. It is not considered that the Borough Council have satisfied these requirements and therefore cannot justify a reduction in housing provision below the minimum required by the EoEP for the period post-2021.

Case B

15. The RCS does not provide a sound basis for future housing provision. The proposed target is not justified by the evidence, or by having regard to the emerging proposals of other authorities. The duty to co-operate has not been successfully discharged.
16. To be sound a plan must be consistent with national policy. The NPPF requires, inter alia, that :
- Plans should be based on joint working and co-operation to address larger than local issues;
 - Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area;
 - Planning should operate to encourage and not act as an impediment to sustainable growth;
 - [The] Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework;
 - Joint working on areas of common interest be diligently undertaken for the mutual benefit of neighbouring authorities;
 - Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of the Framework.
17. The statutory duty to co-operate requires parties to engage constructively, actively and on an on-going basis insofar as it relates to a strategic matter.
18. The housing target proposed in RCS Policy CS1 is below that required to meet, inter alia:
- Government projections of household formation¹; and
 - Affordable housing needs (c.f. paragraph 3.2 of the RCS).
19. This needs to be viewed in the context of an emerging trend across Hertfordshire. A number of authorities are moving, or have moved, towards housing targets that under-provide against these key indicators.
20. Some authorities may not be able to meet all of their development needs within their own boundaries. This might be because of a lack of a capacity. It might be because to do so would cause significant harm².
21. In these instances, national guidance effectively encourages the creation of a market place. This allows authorities to offload, or decant, some of their development needs to a receiving authority. The authorities involved have to actively co-operate for this approach to work. The receiving authority must be able to show that any decanted development will be delivered. Development cannot be decanted if no-one is willing to receive it.

¹ 2008-based household projections to 2033 for England and the regions, published November 2010. <http://www.communities.gov.uk/housing/housingresearch/housingstatistics/housingstatisticsby/householdestimates/livatables-households/> (Table 406).

² The NPPF contains specific examples of what might reasonably constitute significant harm.

22. The RCS contains no mechanisms to redress the under provision of housing that it proposes: It does not make provision for an increase in the housing target. It does not contain an agreed strategy for 'decanting' the shortfall to be met elsewhere by a receiving authority/ies. Nor does it allow for the Borough to act as a 'receiving' authority by allowing for any emergent under provision elsewhere in the county to be accommodated.
23. The duty to co-operate has been discussed at officer meetings across Hertfordshire. However, work on this has yet to start and as a consequence no shared or common position has been defined or agreed amongst Hertfordshire Authorities
24. Within this context, the RCS' attempt to progress a housing target which under-provides against locally identified needs should be viewed as unsound, procedurally flawed and premature.

The statement in this section relates to Issues 1.4, 1.5 & 1.6

25. We have no specific comments to make on these issues.