

Representor 4029 Mr Drummond Robson. Robson Planning Consultancy

**Tuesday 1 May (10am)**

**Matter 1 – Overall Strategy and Housing Provision (RCS generally, Policies CS1, CS3, CS22)**

Issues

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?

### Introduction

1. The RCS (CD05) will now need to be consistent with national policy as set out in the National Planning Policy Framework issued on 27<sup>th</sup> March 2012. This puts the emphasis on planning as a creative and collective enterprise: working with the community to be proactive rather than reactive (e.g. NPPF 20).
2. While there is a need at present for general conformity with the East of England Plan (EEP) this is unlikely to endure for the life of the Local Development Framework in view of the government's stated intention to abolish it subject to the outcome of current environmental assessments (NPPF page 49 footnote 41). The EEP therefore should now carry less weight.
3. NPPF paragraph 159 requires that the plan should "meet household and population projections taking account of migration and demographic changes" of the area *over the plan period* (i.e. 2012-2027, not the period April 2001 to March 2021 baseline derived from the EEP). NPPF 159 modifies the 2007 Practice Guidance (now that PPS3 no longer applies) to increase the emphasis on future need and demand, not brownfield housing capacity. The SHMA is based on a 2008 assessment of housing capacity, with 2006 based figures and Chelmer runs by taking its cue from EEP (March 2008) which now has less weight. (See Matter 1.3 and Appendix 1).
4. Relying on EEP Hertsmere has not assessed broad locations outside settlements. This results in an unjustified strategy and is now certainly unsound. (SHLAA report 2010 paragraph 5.2 and update 6.3).

### Population Growth and Household Projections

5. RCS 2.4 says "The current population of 100,300 is expected to grow to 116,500 in 2028 -an increase of 16,200. Within this the proportion of pensioners is expected to rise significantly." (Source: 2008 - based Sub-national population projections for Hertfordshire and Districts

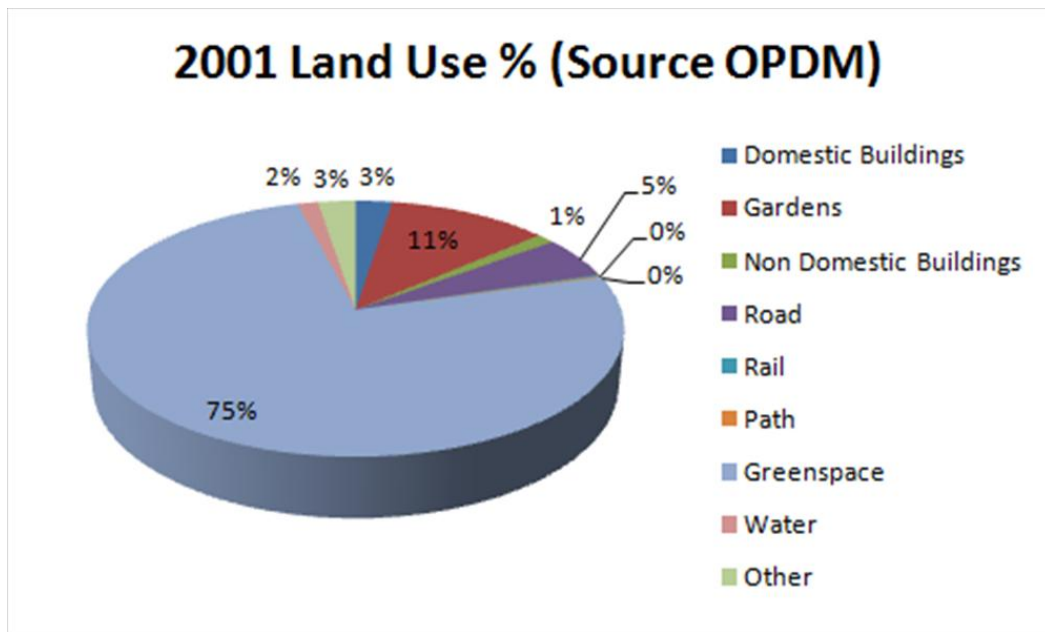
May 2010). No adjustment has been made to reflect these later population projections in Hertsmere's housing targets.(See Appendix 1).

6. Instead the Council has chosen to rely on suspect Chelmer runs. (see also original representations dated 6.1.02). These were reviewed by CLG through Experian which was contributed to by reputable demographers in December 2008 without enthusiastic support. They result in a requirement for fewer new dwellings in Hertsmere than ONS - whether RSS based or Chelmer migration based. (See Appendix 1).
7. The population projections also show smaller household sizes. Taking an average household size of 2.4 in Hertsmere in 2008 results in a household requirement of 6,750; the estimated average household size of 2.275 in 2033 requires 7,120 dwellings.
8. Demographic pressures, housing supply and economic change since alter this assessment and are reflected in the pattern of the Council's Annual Monitoring reports (AMRs) and the later RCS demographic picture but not the Council's assessment of housing requirement in CS1 of 3550 additional dwellings within the District between 2012 and 2027 over the plan period. The rate of supply in each 5 year period varies markedly depending which AMR is chosen. The 2009-10 AMR figures for SHLAA first five year supply are dramatically lower than those used in the RCS trajectory. This does not suggest delivery can be relied on over a significant period. (See Appendix 2).
9. (Representations by Nathaniel Lichfield and Partners for the Commercial Estates Group - Representor 4683 - sets out clearly the context and trends in birth, death and migration statistics succinctly in paragraphs 2.3-2.8 and do not need repeating).
10. The Community Infrastructure Levy will enable more infrastructure improvements to be paid for by those wishing to carry out new development, depending on how much development is allowed. These constraints have consistently been a reason for justifying lower housing provision throughout the preparation of the EEP, (E.g. Hertfordshire County Council Environment and Planning Cabinet Panel Tuesday 27 April 2010). This needs to be reviewed.
11. The EEP does exclude Hertsmere for Green Belt Review but not specifically. The NPPF expects local reviews to take place as part of Local Plan formulation and does not suggest this should happen at any other time (NPPF 83,84). (See also original representations).

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?

12. The quality of life and wellbeing of Hertsmere's residents, now and to be planned for, is absent from the strategy's spatial vision.

13. Given that Hertsmere is 80% Green Belt (and some 75% green space) it is difficult to understand why it forms such a small part of the strategy to sustain it and its evolution over 15 years and subsequent endurance (NPPF 83 and 84): rather assuming it will look after itself and can be treated as an afterthought. This is demonstrated by the lateness of much of the evidence (apart from flood and biodiversity issues and the almost borough wide Watling Chase Community Forest) which would inform it, notably Hertsmere's Green Infrastructure Plan of March 2011 and Open Space Study of October 2011. The Urban Open Spaces and Amenity Greens Report is understood not to be published until May 2012.
14. CD07 amendments MA31, 34 and 40 to open and safeguarded land in the green belt seek to change green belt boundaries without a proper local review (see also Representor 1491 views of CS8).



## Hertsmere Land Use

15. More account should be taken of Hertfordshire's Renewable and Low Carbon Energy Strategy of June 2010 (NPPF 17).
16. It is perhaps a truism that (with some large scale exceptions) normally affordable housing provision will result from a proportion of the market housing provided and so if the total provision increases so will the affordable. At present the shortfall is severe. Without greater certainty about the total provision its tenure subdivisions are more difficult to quantify.
17. This approach results in an imbalance in thinking which places all the emphasis on urban containment and how somehow to make it work, primarily to satisfy housing growth. This results in too little weight being given to

alternative strategies (rural expansion and urban extensions) and none to the reality that town and country must and do interact and impact on each other. Green belt is not of itself sustainable and many of its functions need constant subsidy, protection and enhancement.

18. The RCS seeks to justify future growth based on continuing urban containment rather than sound land use planning principles considering both town and country together to achieve the overarching presumption in favour of sustainable development.
19. Pressures of daily interactions within Hertsmere, commuting, and the longer term effects of migration and population and employment change have been the subject of much survey, little analysis and no creative plan. (See Appendix 4).
20. The East Hertsmere Masterplan and its supporting seeks to contribute to redressing this balance to make a sound core strategy.

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?

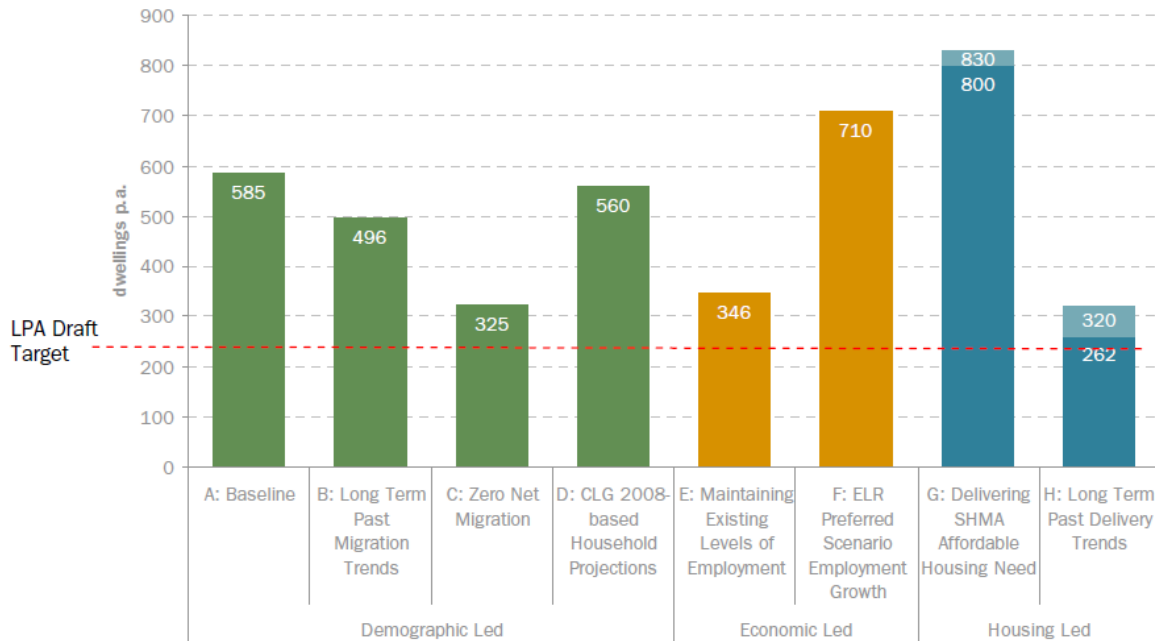
21. The most recent and reliable source for household projections is the ONS 2008-based series which were produced by ONS in May 2010 and published by Communities and Local Government on 26th November 2010. See comparison with the earlier series below.

| Hertsmere       | Projected Households (000) Source ONS via Hertfordshire |      |      |      |      |      |      |      |      |      |         | 25 year % Increase |         |         |  |
|-----------------|---|------|------|------|------|------|------|------|------|------|---------|--------------------|---------|---------|--|
|                 | 2003  | 2004 | 2006 | 2008 | 2011 | 2016 | 2021 | 2026 | 2029 | 2031 | 2001-26 | 2004-29            | 2006-31 | 2008-33 |  |
| OPDM 2003 based | 38  |      | 39   |      | 41   | 43   | 45   | 47   |      |      | 24      |                    |         |         |  |
| CLG 2004 Based  |   | 38   | 39   |      | 41   | 43   | 45   | 47   | 48   |      |         | 26.3               |         |         |  |
| CLG 2006 Based  |   |      | 39   |      | 41   | 43   | 46   | 48   |      | 50   |         |                    | 28.21   |         |  |
| CLG 2008 Based  |   |      |      | 40   | 42   | 44   | 47   | 49   |      | 52   |         |                    |         | 30      |  |

22. These demonstrate a continuing rising trend.
  - 2004 trend based projections (revised) were for a 5,000 household increase between 2011 and 2026.
  - 2006 predictions were for a 7,000 household increase both between 2011-2026 and 2016 and 2031,
  - 2008 predictions are for an increase of 7,000 between 2011 and 2026 and 8,000 between 2016 and 2031.
23. Even allowing for the caveat that District level figures are disaggregations the household requirement over the approximate plan period (2013-2028) using the 2008 based data is in the region of 7,000 or so, not 3,550 of CS1. This will not happen without Green Belt releases.

24. It is reasonable to test this against other scenarios such as those put forward succinctly by Nathaniel Lichfield and Partners on behalf of Commercial Estates Group (Representor 4683) and summarised in their figure 3.1 page 10 paragraph 3.19 but in view of NPPF it is clear that the principal consideration is demographic rather than lower past economic or housing delivery trends (the latter based on the period 2004-2010) in housing if to reflect NPPF 159. Recent declines in inward migration will be associated with the low rate of new housing completions.

Figure 3.1 Summary of Scenarios



Source: NLP Analysis

25. From the evidence available it appears that Hertsmere has adapted the evidence base for the East of England Plan to fit a strategy dominated by housing capacity in its towns, not the population and housing needs and demands of the area as exhorted by NPPF 159. (See also response to matter 1.3).

### SHLAA evidence

26. The SHLAA assessments of 2010 and 2011 rely on the Urban Capacity Study methodology of November 2006 (CD/92). These are unsound and should be reviewed, notably the basis of the weightings to future site densities, accessibility to services and accessibility to changing public transport and their cumulative multipliers. (See Appendix 3).

27. The RCS is based on the updated SHLAA using the June 2009 methodology but without stakeholder involvement. In view of its importance for the chosen strategy this does not make for a justified assessment with proportionate evidence should its principle of urban containment not deliver an adequate

supply against NPPF 159 with sufficient flexibility well beyond the 15 year plan timetable (NPPF paragraph 83).

28. Table 4.3 appears to summarise the highly subjective claims of pages 383-390 of SAR\_Appendices\_V8.0.

Table 4.3 - Summary of Assessment of Alternative Growth Options (2010)

| No | Option          | Performance |               |        | Comments  |
|----|-----------------|-------------|---------------|--------|---|
|    |                 | Economic    | Environmental | Social |   |
| 1. | 2,300 dwellings | +/-         | ++            | +/-    | All options are assessed as having a mixture of negative and positive effects, however, option 2 stands out as an option delivering best sustainability results overall.<br><br>Option 1 is scored the best against the SA environmental objectives due to the lowest land take involved, the sole use of brownfield sites and location of development within the existing urban areas. However, this option is rated lower than option 2 in economic and social terms, as it may fail to deliver the required numbers of affordable homes and housing for workers.<br><br>Option 3 performs well in economic and social terms, as it should deliver an appropriate number of housing to support the local economy and accommodate affordable housing as part of new development. However, its environmental performance is lower than that of option 2 due to a higher level of land take involved, including some use of greenfield land within the Green Belt.<br><br>Options 4 and 5 are less environmentally sustainable, as they would require a significant land take of greenfield land within the Green Belt and development of urban extensions, affecting strategic gaps between the settlements, or development of a new 'mini-village' in the case of Option 5. These two options perform well in economic terms, as the assumption behind their development is a higher economic growth rate. |
| 2. | 3,200 dwellings | +           | +/-           | ++     |   |
| 3. | 3,900 dwellings | +           | -             | ++     |   |
| 4. | 5,300 dwellings | ++          | --            | +/-    |   |
| 5. | 6,750 dwellings | ++          | ---           | +/-    |   |

29.21 objectives are evaluated. In view of the approach put forward above the important – predominantly geographical - objectives 6, 7, 9, 10, 11, 20 and 21 are particularly weak for the larger housing numbers. Also it is not clear how each objective has been weighted to arrive at the 4.3 summary. The brownfield first approach of policy when this was prepared differs from the slightly more qualified approach to this in NPPF where green land in towns is more highly regarded and the economic, environmental and social dimensions of sustainable development is stressed. A more informed analysis would have almost certainly led to a different strategy.

30. Hertsmere has consistently sought to provide the minimum new development in its area rather than seeing the assets of all its land and location as opportunities for a better future for all its population.

## Infrastructure

31. The Council has consistently opposed any higher target because of the alleged impact that this would have on the Borough's infrastructure. This is again referred to at the end of RCS 3.18.

32. It is not clear what the scale of infrastructure problems referred to in document ECO2 are. Key infrastructure constraints have been water and waste water and these have been extensively used to argue for limitations on growth. The Infrastructure Topic Paper (ITP), which acknowledges that Veolia now has adequate water supply until 2035 (set out in Water Resources Management Plan 2010), but relies largely on waste water data produced in 2006. The statement from Thames Water at 6.20 of the ITP suggests that once growth has been settled they will plan accordingly to meet it. TWA are carrying out a

£140m upgrade at Mogden Sewage Treatment Works in west London to extend sewage treatment capacity by 50 per cent. It currently serves 1.9 million people and covers an area of about 120 acres. TWA have made allowances for a six per cent population increase until 2021 (an extra 114,000 people). This needs clarification.

33. If insufficient new housing is built net migration will increase out of the District but this would not meet the aspiration of NPPF 159 which strengthens the requirement that the needs of the local population for all types of housing should be met. It is already clear that neighbouring authorities such as Three Rivers cannot meet their needs which adds to rather than detracts from the pressure on Hertsmere. These factors indicate that the District has a history of under delivery (as identified in NPPF paragraph 47 2<sup>nd</sup> bullet point) relative to housing need and demand requiring an increased buffer.

### **Matter 1.3 Conclusions**

34. The SHLAA needs to be revised to reflect NPPF emphases in paragraph 159, towards population projections, and market need and demand considerations, realistic housing densities based on clear updated accessibility criteria, revised approach to windfalls and more realistic reflections of site capacities, availability, deliverability and developability as well as landscape quality and the other criteria of SHLAA 3.19.
35. This will result in the inevitable consequence that some parts of the Green Belt will need to be developed to meet realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period justified on NPPF grounds.
36. I would estimate that the limited areas required to meet development requirements will ensure that no more than 3% of Hertsmere's land area in the green belt is taken for the strategy period and the enduring period beyond. The criteria will no doubt include public transport accessible sites, and other such criteria as landscape character and capacity, (as well as criteria such as that explored in the Environmental Technical Report).
37. The revised CS would also inevitably be the subject of public consultation.
38. In view of Green Belt sensitivity areas of search would need to have demonstrably defensible boundaries and preferably be associated with green belt enhancements. I would assume the results will need to be shown on both the key diagram and a proposals map (NPPF 157).

I would also argue that

- a. sustainable urban extensions would provide realistic solutions.
- b. In order to achieve a realistic framework by March 2013 (to avoid piecemeal development by appeal) that green belt sites with defensible boundaries would also need more site allocation information. (NPPF

appears not to require core strategies and site allocation work to be separated). It would be quite wrong to plan on the basis of later review of Green Belt sites as proposed in RCS 3.19. This would have the effect of poor planning of the towns at excessive densities in the mistaken hope it might work, and then following this by poor planning of the countryside.

39. Economic planning in Borehamwood is far from clear – see 1.5 below.

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?

40. I would argue from the foregoing paragraphs that the target is inappropriately constrained by not considering carefully chosen parts of the present Green Belt. Delivery will be greatly eased if the correct areas are chosen that are available, deliverable and developable, especially if they are associated with scope for associated Green Belt enhancement, notably those in the same ownership: usable and worthwhile - quality rather than simply quantity.

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)?

41. The future for Elstree Way is very uncertain. More clarity is needed.

42. Unjustified reliance has been placed in the RCS on providing 800 new homes between years 6-15. There is a Planning and Design Brief of June 2003. Elstree Way Corridor Feasibility Study: Final Report June 2010 (CD/90) is only available as hard copy and I have not yet seen it. From SHLAA Report 5.13 it appears contingent on highway works which have not yet been assessed or funded. Hertfordshire's Local Transport Plan 2011-31 makes no specific provision for it. The Elstree Way LDO Design Guide (January 2011) appears to bear no relationship to the 2003 study and together they seem a very weak basis to plan for the future heart of Borehamwood's employment as Hertsmere's principal town on which so much other growth (including 60% of the District's additional housing) depends.

43. Reliance on over 300 dwellings from Elstree Studios is far from certain and the associated media businesses and reputation exert strong influence on the economic base and character of the area.

44. There is no clear market evidence of how any integration of multiple ownerships would take place or how and why the LDO can, or should be followed by the much denser subsequent development, and why investment



in improvements is likely if major development is imminent. The support for policy CS22 in RCS paragraphs 6.22 and 6.23 is very vague. There is no idea at present what the AAP would comprise or how it relates to the feasibility study.(SHLAA update 6.5).

45. NPPF paragraphs 22 and 51 place greater emphasis on housing at the expense of commercial space unless the economic reasons demonstrate it to be inappropriate. The specific evidence for this is thin.

**1.6 Is the proposed phasing of housing supply (Policy CS3) justified and likely to be effective?**

46. The proposed phasing will need to be reviewed if the Green Belt is to be considered to meet part of the supply. This will avoid excessive housing densities to meet the requirement in towns alone. On larger sites and there would be economies of scale and earlier delivery in particular if sites/areas shown on the Masterplan are chosen, notably S52, S53, S54, S55, S56 and S161 as well as a better balance of settlement growth.

**Matter 1 Conclusion**

47. It is hard to escape the inevitable conclusion that the Council has underestimated the needs of its population, notably its real housing space and numbers and will need to amend its plans to allow some carefully located and integrated development in the Green Belt based on the principles of NPPF 84 to 86. This will result in redrafting of both CS1 and CS3 following public consultation.
48. The proposed pattern of employment has the intention but probably not the likelihood of attracting the majority of new employment to Borehamwood and Elstree Way. This is at the expense of greater growth balance between here and other settlements, notably the second largest settlement of Potters Bar.

DR/dbm 11.4.12