

# **Participant Statement: Matters 2 and 5**

**The Former Byfield Nursery and Storage Facility**

- 1.1 This participant Statement is submitted in relation to Matter 2 and Matter 5 on behalf of Crest Nicholson Eastern.
- 1.2 East Herts District Plan is unsound as it has not been informed by 1) a sound assessment of housing need in relation to the District's villages (it is not therefore 'Positively prepared' or 'Justified') 2) a sound assessment of village population, services and sustainability to determine the District's settlement hierarchy (it is not therefore 'Positively prepared' or 'Justified' 3) a sound approach in relation to the allocation of suitable and deliverable sites at the District's villages through the Plan process (it is therefore not 'Positively prepared', 'Justified', 'Effective' or 'Consistent with national policy').
- 1.3 The former Byfield Nursery and Storage Facility, Great Amwell (please see **Appendix 1**) represents a sustainable and deliverable previously developed site with the potential to accommodate approximately 80 new homes to meet identified local needs.

## Matter 2

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### *Spatial Distribution / Supply – Policy DPS3*

***Q 8. What evidence is there that the proposed supply is of the right type and scale and in the right place to provide a mixed, balanced and healthy community and support sustainable growth?***

- 2.1 Evidence is absent. It is clear that the Plan does not provide for a mixed community or sustainable growth due to its disregard for meeting the housing needs of the District's villages.
- 2.2 Despite the Plan acknowledging that key objectives include meeting the needs of an ageing population while ensuring that the district remains attractive and accessible to young people, it woefully underprovides housing supply at its villages. The needs of older people wanting to downsize locally will therefore not catered for and the lack of housing will create affordability issues for younger people who will likely be forced to move out of the village they grew up in. This will result in a reduction in economically active households and impact upon the vitality and viability of village shops and services.
- 2.3 In addition, by not proposing allocations at villages to meet settlement-specific need, the Council is abdicating its responsibility by delegating important decisions to a later date through the production of Neighbourhood Plans, which may not come forward at all and in any event, are not capable of allocating suitable Green Belt sites. This does not represent a common sense or sound approach and will unnecessarily stall the short term delivery of sites. The identification of suitable sites at a level commensurate with settlement specific need should inform the growth required at each village.
- 2.4 Detailed comments on the Plan's Village Policies are contained in our previous representations and are summarised under the "Approach to Housing Development in Villages" section below.

***Q 15. 15. There has been persistent under delivery and a 20% buffer is appropriate. Taking this into account, would the Plan realistically provide for a five year housing supply (5YHLS) on adoption? Will a five year supply be maintained? Should the Plan's policies contain any flexibility measures to ensure a continued 5-year supply? (For example, allocating additional sites or allowing for small-scale development outside but abutting settlement boundaries where major policy constraints are absent).***

- 2.5 EHDC's Housing Topic Paper Update- August 2017 states that "The Council accepts that its OAHN has increased from 745 dwellings per annum to 836 dwellings per annum based on the latest SHMA update. Whilst the Council has demonstrated that it can meet the higher OAHN over the plan-period 2016-2033, it does have specific concerns about the rate of delivery that is required in the first five years – 1,429 dwelling per annum. This is considered to be very high and potentially unachievable. The Council has therefore suggested that a potential solution to this could be achieved by addressing the existing shortfall over a ten year period from 2016 rather than over 5 years as currently proposed."
- 2.6 EHDC's admission that a five year land supply is considered "potentially unachievable" renders the Plan unsound as this clearly does not represent positive plan making.
- 2.7 Instead of sterilising new housing at the District's villages (as explained in our response to Q8), sites should be allocated now. Suitable sites at villages such as the Former Byfield Nursery and Storage Facility are of a scale that can be delivered early in the Plan period and can contribute to the District's 5 year land supply. This is particularly important in the context of a questionable housing supply based heavily upon longer term, potentially undeliverable 'Broad Locations'.

#### ***The Approach to Housing Development in Villages – Policies DPS3, DPS6, VILL1 and VILL4***

#### ***3. What is the basis for the 10% increase in housing in the group 1 villages which for some is only 35/37 dwellings? Would this meet the housing need until 2033? Could these villages take more development?***

- 2.8 The justification for the 10% increase in group 1 villages appears to be on the basis that "this is a level of housing growth that is considered fair, achievable and sustainable for each of the settlements concerned and that will make a *meaningful* contribution towards alleviating future housing demands, addressing local housing needs and supporting the village economy."
- 2.9 Placing such a blanket arbitrary limit on development across a number of villages based on unjustified generalisations about broad "constraints" that do not apply to specific sites, does not represent a positively prepared plan in accordance with the NPPF.
- 2.10 Instead, the identification of available, suitable and deliverable sites of a scale appropriate to meeting local (settlement-specific) needs must be a key component of determining the level of housing at each village.
- 2.11 As an example of the undersupply of houses proposed at the District's villages, a 10% increase to the number of homes at Great Amwell is circa 37 units. However, NLP's "Housing Need and Demand in East Hertfordshire and Great Amwell - A Technical Assessment" (submitted as part

of previous representations) concludes that there is a settlement specific need of 160-200 additional dwellings over the Plan period.

- 2.12 EHDC's assessment of the Former Byfield Nursery and Storage Facility clearly demonstrates the inconsistencies resulting from placing a blanket limit on development based on generalisations that do not apply to specific sites. For example, in the Council's initial evidence base (March 2012 LDF Executive Committee), Great Amwell was scored "red" against "Strategic Gap" but Byfield Nursery is a previously developed, contained site that does not erode the strategic gaps between Ware to the north and Stanstead Abbots to the South. Great Amwell was scored "red" against "Designated Wildlife Sites" but the redevelopment of Byfield Nursery would not impact on any of these Sites. Great Amwell scores Amber against "Historic Assets", but Byfield Nursery does not impact on the setting of the village's Conservation Area. Great Amwell Scores "Red" against "Agricultural Land" classification, but Byfield Nursery is a previously developed site (as acknowledged by EHDC).
- 2.13 As per Para 159 of the NPPF, the SHLAA is a key evidence base document in the Local Plan making process. The more recently published SHLAA (March 2017) states in relation to the Former Byfield Nursery and Storage Facility that "This brownfield site is located within the Green Belt in Great Amwell, a Group 2 Village. The site is currently in use as a nursery with storage units. The site is fairly well screened by mature hedgerows to the south and east of the site. Development of a site of this size would be out of scale and character with the area and would impact on the openness of the Green Belt in this strategic gap. As such the site is considered unsuitable for housing development." Again, the site is not deemed suitable due to unjustified generalisations that do not consider site specific suitability.
- 2.14 Notwithstanding the fact that the approach to assessing settlements fails to establish the link between the availability of suitable sites and settlement specific need, the assessment of village population, services and sustainability to determine the District's settlement hierarchy is flawed.
- 2.15 From the outset of the Plan's evidence base, the LDF Executive Committee (2012) stated incorrectly that Great Amwell doesn't have a local retail offer. Van Hage is clearly a significant garden centre, retail facility, café, and community hub. As a result of this assessment, "Community Facilities" is scored "red". This scoring is carried forward to the July 2012 LDF Executive Committee ("Sieve 1"). Given the level of village facilities, particularly, in comparison to other "Group 1" villages, this "red" score, should be "green".
- 2.16 Similarly, in relation to the assessment of "employment potential", the July 2012 Committee report states that "Great Amwell benefits from the presence of a number of employment generating businesses in the village such as Van Hages Garden Centre, Byfield Nursery and a number of creative industries based in Charles House off Furlong Way. Proximity to the A414,

A10 and rail connections from Stanstead Abbots are key advantages for employment uses.” Despite this positive assessment, the site only scores “amber”, when a consistent approach would score it “green”.

- 2.17 Even based on East Herts’ inconsistent traffic light scoring, Great Amwell ranks on a par with the currently proposed Group 1 villages. However, as mentioned previously, there is also a requirement to meet local, settlement specific housing needs to address localised affordability issues and retain the viability and vitality of village services. This level should be commensurate with the existing population, in order to meet natural population growth over the Plan period.
- 2.18 When taking into account the size of existing population using the same dataset as EHDC, Great Amwell has the 6<sup>th</sup> largest village population (and therefore settlement specific need) in the District.
- 2.19 When factoring in East Hert’s traffic light scoring, the site is entirely in keeping with the largest currently proposed Group 1 Villages. This is illustrated in the table below.

| SETTLEMENT          | RED      | AMBER    | GREEN     | POP          | HSHLDS     |
|---------------------|----------|----------|-----------|--------------|------------|
| Watton-at-stone     | 3        | 10       | 9         | 2,057        | 846        |
| Standon             | 6        | 9        | 7         | 1,940        | 795        |
| Puckeridge          | 5        | 9        | 8         | 1,379        | 558        |
| Walkern             | 6        | 7        | 9         | 1,158        | 474        |
| Much Hadham         | 5        | 3        | 13        | 1,147        | 490        |
| <b>GREAT AMWELL</b> | <b>5</b> | <b>6</b> | <b>11</b> | <b>1,055</b> | <b>374</b> |
| Hunsdon             | 4        | 6        | 12        | 929          | 363        |
| Braughing           | 5        | 7        | 10        | 818          | 328        |
| Widford             | 4        | 4        | 13        | 438          | 178        |
| High Cross          | 2        | 9        | 11        | 376          | 144        |
| Little Hadham       | 5        | 6        | 10        | 320          | 126        |
| Hadham Ford         | 7        | 4        | 10        | 259          | 106        |

- 2.20 Based on EHDC’s more recent Village Settlement Appraisal (2016), Great Amwell scores as the 10<sup>th</sup> most appropriate village based on level of facilities and accessibility/sustainability, ranked just two places below the 8 Group 1 villages. Great Amwell receives the second highest accessibility score in the District but scores poorly in relation to amenities. However, EHDC still do not acknowledge Van Hage as a retail facility and convenience store despite it employing over 200 employees as part of its retail function.

- 2.21 Local employment offer is absent from the Appraisal's methodology. It is important to encourage new housing in close proximity to local employment opportunities in order to stimulate local economic growth and promote sustainable live-work patterns. The creative industries at Furlong Way and Van Hage at Great Amwell employ over 400 employees in a range of skilled and semi-skilled jobs.
- 2.22 Crucially, the Appraisal also omits consideration of the population of settlements and therefore does not consider meeting natural population growth and subsequent local housing needs over the Plan period.
- 2.23 It is therefore evident that when taking into account the household population (and subsequent level of natural population growth) in addition to accessibility and facilities scores, Great Amwell shares the same characteristics as the highest ranked Group 1 villages currently identified in the Local Plan.

***4. The Council rely on neighbourhood plans (NP) to identify and allocate land for 250 dwellings within villages. What is the timescale for the production and adoption of NPs? What progress has been made so far? Is the trigger sufficient to ensure that 500 homes would be delivered if the NPs do not come forward within a reasonable timescale?***

- 2.24 The Plan does not propose allocations in the Villages to meet settlement specific need, and instead encourages the production of Neighbourhood Plans, which may not come forward at all and are not capable of releasing suitable Green Belt sites. This does not represent a common sense approach, nor does it "provide a clear indication of how a decision maker should react to a development proposal" (NPPF Para 154). Suitable and deliverable sites should be allocated as soon as possible. These sites in addition to settlement specific need should inform the level of growth required at each village. As such we consider that EHDC's approach is unsound as it has not been positively prepared nor is it justified.

## Matter 5

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***Q 5. NPs cannot alter Green Belt boundaries which the National Planning Policy Framework advises can only be carried out as part of the local plan. What options are there to address this and to ensure the Plan complies with national policy?***

3.1 As argued throughout this Statement, instead of sterilising new housing at the District's villages, suitable, deliverable Green belt sites such as the Former Byfield Nursery and Storage Facility must be allocated now through the Local Plan process.

***Q 6. Is the site selection/Green Belt review processes robust?***

3.2 EHDC have not undertaken a comprehensive review of the Green Belt to determine whether all the land within its designation fulfils Green Belt purposes, the degree of significance which should be attached to various parts of the Green Belt, or the extent to which some of the development in the Green Belt promotes sustainable patterns of development.

3.3 Importantly, EHDC's selection and rejection of sites in the Green Belt has not been properly justified through a robust methodology or by any technical analysis. As previously outlined, the Former Byfield Nursery and Storage Facility has not been assessed robustly despite its largely previously developed status with the remainder being enclosed private amenity land. The reasons given for rejection in the SHLAA relate to unjustified generalisations about strategic gap (despite the largely brownfield status of the site which lies in an area of the Green Belt eroded since its designation by the expansion of Van Hage in recent years), rather than site-specific considerations.

3.4 The site is considered suitable for allocation now through the Plan process. This is explored in detail within Appendix 1.

3.5 The site has been a family run cucumber growing facility for over 40 years. Due to advancements in glasshouse technology and the substantial rise in fuel costs, the ageing facility has become unsustainable and unviable. The occupiers have been forced to use the hard standing and vacant commercial buildings on site to house ice cream vans, to provide a facility for replenishing their stocks, as well as a fairground lighting business. This has increased the volume of large commercial vehicles using Gypsy Lane on a daily basis, supplementing the large articulated vehicles delivering fertiliser and fuels, and removing produce from the nursery site.

- 3.6 Redevelopment of the site for much needed family homes represents a better use than a derelict, unsightly brownfield site. The proposals for development would lead to the demolition of unappealing chimney stacks and oil tanks, ageing glasshouses and the safe removal and disposal of asbestos. Large commercial vehicle traffic would also be removed.
- 3.7 The site is considered to represent the most sustainable location within Great Amwell and would not create any coalescence issues unlike the other sites being promoted. Byfield Nursery is located within an area of established residential character and presents itself as a logical extension to the existing settlement boundary. The site is well screened, with defensible permanent boundaries, ensuring that visual impact from the proposals will be minimal, and considerably less than other promoted sites.
- 3.8 The site has good links to existing transport networks and infrastructure (as acknowledged by EHDC) and development would result in a number of socio-economic local benefits.
- 3.9 In order to make the Plan sound, suitable sites at the District's villages including the Former Byfield Nursery and Storage Facility should be allocated.

## Appendix 1: Design and Development Framework