

East Herts Examination in Public

Hearing Statement Matters and Issues Part 2

Chapter 5 – Bishop’s Stortford



CONTENTS

1.0 INTRODUCTION3

2.0 QUESTION 1 – What is the basis for planning to accommodate between 3,729 and 4,142 new homes at Bishop’s Stortford?.....3

3.0 QUESTION 3 - How and why was the planned level chosen ahead of other options? Is the site selection methodology robust and transparent?4

4.0 QUESTION 5 - Are the allocations BISH4 and BISH6 available for development? Can they be relied upon to deliver housing in the expected timescales – for example BISH6 II indicates that 150 homes will be delivered between 2017 – 2022?5

5.0 QUESTION 6 - BISH5 – Is this the best option for Bishop’s Stortford having regard to loss of green belt?7

6.0 QUESTION 7 - Are the allocated sites appropriate and deliverable, having regard to the provision of the necessary infrastructure and facilities, and taking account of environmental constraints?.....7



1.0 INTRODUCTION

- 1.1 This hearing statement is submitted on behalf of Bishops Stortford College ('the College') with regard to Chapter 5 of the draft Plan.
- 1.2 The College are promoting for residential development a site to the north of the Great Hadham Road in Bishops Stortford (SHLAA reference: 01/017). The site is capable of accommodating up to 63 dwellings to the south of the site and 0.75 hectares of playing pitches to the north.

2.0 QUESTION 1 – What is the basis for planning to accommodate between 3,729 and 4,142 new homes at Bishop's Stortford?

- 2.1 The Development Strategy Topic Paper (TPA/001) sets out that Bishop's Stortford is the largest settlement in the district and one of the most sustainable locations for new housing and employment (paragraph 3.6).
- 2.2 The process of determining the level of development allocated to Bishop's Stortford is set out in in the Supporting Document (SSS/001). It was one of discounting alternatives via a sieve process and then considering whether the sum of the remaining sites was deliverable in regard to constraints at both a settlement basis and in terms of cumulative impacts on a district scale.
- 2.3 Given the town is one of the most sustainable locations in the District and given the evidence base offers no justification for a predetermined 'target' for levels of development at Bishop's Stortford, there is no innate reason why, as long as impacts can be mitigated, this level of development could not be exceeded.
- 2.4 We contend that the additional requirement for housing both during the Plan period as a whole and within the first five years, which is required to make the Plan sound, would be sensibly located on deliverable sites at Bishop's Stortford.



3.0 QUESTION 3 - How and why was the planned level chosen ahead of other options? Is the site selection methodology robust and transparent?

- 3.1 The Supporting Document (SSS/001) explains how the process of allocating development to the District's larger settlements was 'sieve driven', with reasonable alternatives discounted at each sieving stage.
- 3.2 The first step (set out in Chapter 4 of SSS/001) was to establish 69 'Areas of Search'. The areas of search were established based on 'initial scale assumptions'. These scale assumptions are set out in the document at paragraphs 4.2.23 onwards. For 'Built-up Areas and Town Extensions' table 4.3 sets out that the initial scale assumption was 500 dwellings.
- 3.3 Areas which were not deemed capable of accommodating 500 dwellings were not included within areas of search (i.e. were not entered into the sieving process). Paragraph 4.2.17 of the Supporting Document sets out that a number of areas could not accommodate this scale of development, *"...because for example they are protected public-open space and play a well-recognised part in the identity of a town or are characterised by areas of flood plain. For example, the green wedges in Bishop's Stortford (including Southern Country Park), the Hertford green fingers including the Meads between Hertford and Ware, and the eastern side of Sawbridgeworth which includes Pishiobury Park and extensive areas of flood plain."*
- 3.4 However, no consideration was given to whether these areas may be capable of accommodating development at a scale of less than 500 dwellings and might form further reasonable alternatives in addition to only considering areas of search capable of accommodating at least 500 dwellings.
- 3.5 Instead, all sites within these areas were excluded from further consideration, whether or not they could be described as being areas of public open space that play a part in the identity of the town, or flood plain.
- 3.6 Our regulation 19 representations set out that there are sites within the Bishop's Stortford 'green wedges' which do not exhibit the characteristics ascribed to the wedges



by paragraph 4.2.17 of SSS/001 and by the draft Plan at paragraph 5.5.6, (wherein the land comprising the wedges is described as being a ‘recognised local amenity, wildlife and leisure asset’). These sites are suitable for development. However, the initial decision not to consider the ‘green wedges’ as areas of search (because they could not accommodate development of 500 dwellings) excluded the consideration of these sites as reasonable alternatives within the site selection process.

- 3.7 As a result, alternative options which could reduce or eliminate significant adverse impacts, on the Green Belt for example (given the conclusions of the Green Belt Review (GRB/001) that the western green wedge at Bishop’s Stortford made little contribution to Green Belt purposes), have not been considered – contrary to Framework paragraph 152.
- 3.8 Because the amount of development directed to Bishop’s Stortford is largely based on a sieve process of site elimination, rather than a strategy that seeks to allocate a pre-defined level of development to the town (see our answer to question 1 above), alternative strategies do not need to match exactly the level of development currently proposed, although they do need to respect constraints.
- 3.9 We contend that additional housing allocations are required in the district, particularly in the early years of the Plan period. Bishop’s Stortford, which as the district’s larger town, is the most sustainable location for further development, particularly in the early years of the plan period. Contrary to the assertion of the Development Strategy Topic Paper (TPA/001) paragraph 3.10 that there are no further opportunities for development in the town, we consider there are additional suitable, available and deliverable sites.

4.0 QUESTION 5 - Are the allocations BISH4 and BISH6 available for development? Can they be relied upon to deliver housing in the expected timescales – for example BISH6 II indicates that 150 homes will be delivered between 2017 – 2022?

- 4.1 We would question whether BISH6 is capable of delivery within the first five years of the Plan period.



- 4.2 ED143 sets out a breakdown of delivery rates for sites in the first five years of the Plan. This indicates that BISH6 is expected to deliver 50 dwellings before 31st March 2020, which implies a start on site in 18 months' time (31st March 2019).
- 4.3 Prior to this start on site occurring the school will need to relocate to BISH5. Agenda papers put before Hertfordshire County Council's Cabinet on the 20th February 2017 (agenda item 09e Appendix B) set out that the agreement between Hertfordshire County Council as the education authority and the developer at BISH5 is that an outline consent will be secured for the school and only then will HCC commit resources to progressing the four planning applications required to facilitate the relocation of the school and the delivery of housing on BISH6. These four applications are the detailed (reserved matters) consent for the new school on BISH5, an outline planning application for housing on BISH6, a detailed planning application for the relocation of the Blues Pre-School (currently housed on BISH6) and detailed planning permission for the expansion of the Thorley Hill Primary School.
- 4.4 It is important to note that the outline consent for a school on BISH5 is the trigger for the County Council to commit resources to the preparation of these applications, rather than being the date of their submission.
- 4.5 The Statement of Common Ground for BISH5 (ED132) anticipates a consent being granted at BISH5 in autumn 2018. We have commented on the anticipated timescale for the delivery of BISH5 in response to question 7 below, however notwithstanding these comments it is difficult to see how an (outline) consent could be granted for housing at BISH6 prior to say autumn 2019 - even if the timetable for BISH5 is met (which we do not believe it will be).
- 4.6 Given the funds for the construction of the new school at BISH5 are dependent on the disposal of BISH6 for housing, we would suggest at least a further 6 months would be required from the grant of consent at BISH6 in autumn 2019 to achieve the disposal and commence construction of the school on BISH5. This takes the process to spring 2020. Allowing (an optimistic) 12 months for the construction of the school would mean completion in spring 2021. It is unlikely the school would be in a position to relocate



until the summer break of 2021, meaning it would be optimistic to see any houses being delivered at BISH6 before the end of the monitoring year 2020/2021. It would still be optimistic to expect the first 50 houses from the site in the monitoring year 2021/2022.

4.7 The above timeline allows for no contingency when in reality project planning for such a process would incorporate, and almost certainly make use of, such a contingency.

5.0 QUESTION 6 - BISH5 – Is this the best option for Bishop’s Stortford having regard to loss of green belt?

5.1 Paragraph 9.11 of the Bishops Stortford Settlement Appraisal (SSS\002) outlines that in the absence of alternative options it is appropriate to allow the release of BISH5 from the Green Belt.

5.2 Our answer to question 3 above outlines that all reasonable alternatives for accommodating development in the town were not adequately considered through the site selection process.

5.3 Sites within areas judged by the Green Belt Review (GRB/001) to have high suitability as areas of search for development have not therefore been properly considered as alternative options.

6.0 QUESTION 7 - Are the allocated sites appropriate and deliverable, having regard to the provision of the necessary infrastructure and facilities, and taking account of environmental constraints?

6.1 We have outlined in our answer to question 5 our concerns concerning the anticipated timing of the delivery at BISH6. We have similar concerns about the anticipated timing of delivery at BISH5 and BISH7.

6.2 In regard to BISH5, the Statement of Common Ground (ED132) outlines that a planning application is anticipated late 2017/early 2018, with a resolution to grant in spring 2018 and planning consent granted in autumn 2018. We find this timescale optimistic.

6.3 At Bishop’s Stortford North, a hybrid application (3/13/0804/OP) on ASRs 1- 4 was given consent for 2,200 dwellings (full details provided for 875 dwellings) in April 2015. This



followed the submission of the application in May 2013 and resolution to grant in April 2014. As such the time taken from submission to resolution to grant was two years and it took a further year to negotiate the s106.

- 6.4 At Bishops Stortford North, the outline application (3/13/0886/OP) on ASR 5 was given consent for 329 dwellings in June 2016. The application was submitted in May 2013, resolution to grant was made at Committee in August 2015 and consent was granted following negotiations on the s106 in June 2016. Submission to resolution to grant was two years, with a further year to negotiate the s106. The reserved matters consent for the first phase was submitted prior to the determination of the application (in May 2016). It was validated in June 2016, and determined 6 months later in December 2016.
- 6.5 The proposed timetable for BISH5 set out in the Statement of Common Ground (ED132) anticipates a period of only 9 months from submission to grant, with six of those months allowed for negotiation of the s106. Even with the ongoing collaborative work currently being undertaken between the developer and the Council it seems optimistic to assume consent will be achieved in only a quarter of the time recently taken to grant consent for two other large developments in the town.
- 6.6 Paragraph 14.1 of the SOCG (ED132) refers to collaborative working on the site-wide Master Plan, however it outlines that additional technical and planning meetings with officers and engagement and consultation with members, the public and other stakeholders is required before agreement on a such a masterplan can be concluded and the application submitted. It is noted that the SOCG was signed on the 18th September 2017, and as such it is likely that the work outstanding at 14.1 remains ongoing. This does suggest that the submission of an application in late 2017 is somewhat optimistic.
- 6.7 In regard to BISH7, the delivery timetable at ED143 outlines that 60 dwellings are expected to be delivered in by 31st March 2019, i.e. in 18 months' time. There is currently no active planning application on the site, a previous hybrid application (3/1630530/OUT) submitted in March 2016 having been refused in May 2017 (contrary to Officers' recommendation to approve). Press reports indicate that the applicants are



in the process of working with the Council to resolve the reasons for refusal, and there does not appear to be an active appeal against the refusal.

- 6.8 At the time of writing there is no statement of common ground in regard to BISH7. Even if a hybrid application was submitted imminently, even on the optimistic timetable suggested for BISH5 (which, as above, we do not consider is realistic), consent would not be forthcoming until autumn 2018. This would leave a period of only 6 months to lift conditions and start on site. Given the complexities involved with developing a major brownfield site with ongoing uses it is inconceivable that dwellings would be delivered on site to this timescale.