

East Herts Council Answers to the Inspector's Note 1 (ED102)

9th June, 2017

East Herts Council has prepared answers to the Inspector's questions raised in Note 1 (ED102). For ease of reference, the Inspector's note is reproduced below (in *italics*) with the Council's answer (in **bold**) to each question set out below the Inspector's question. Document references cited relate to the Evidence Library which is available on the Council's website (www.eastherts.gov.uk/districtplanexamination).

Introduction

1. *The purpose of this note is to identify issues relating to housing set out in Chapter 3, The Development Strategy of the Plan and to seek further information from the Council about their approach. For avoidance of doubt the note relates to the submitted version, titled East Herts District Plan pre-submission consultation 2016 (document reference SUB/001) (EHDP).*

Housing requirement and objectively assessed need

2. *The EHDP indicates that the combined level of housing need across the Market Housing Area (encompassing East Herts, Harlow, Uttlesford and Epping Forest) is 46,058 homes for the period 2011-2033. For East Herts, the Plan indicates that the level of need is 16,390 by 2033, 745 new homes per year.*
3. *The figures use as their starting point the Department of Communities and Local Government (CLG) household projections of 2012 to define objectively assessed need (OAN), upon which their housing requirement is based. However, on 12 July 2016 the Department of Communities and Local Government published its 2014 household projections, updating the 2012 data. The 2014-based projections take into account the Office of National Statistics (ONS) 2014-based sub-national population projections published on 25th May 2016.*
4. *The EHDP acknowledges that the most recent (2014) projections are relevant and these show an increase in likely population and households. The Plan indicates that this could lead to a requirement of around 19,500 new dwellings during the plan period. However, instead of basing the EHDC housing requirement on the updated and most recent figures, the Plan maintains the lower figure of 16,390 new dwellings and proposes to deal with the increase by way of an early review.*
5. *The National Planning Policy Framework (NPPF) indicates that to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed need. Planning Policy Guidance advises that household projections published by the Department for Communities and Local Government should provide the starting point estimate of overall housing need. In maintaining the lower requirement and seeking a review, the EHDP would not, therefore, be*

adopting an approach to OAN and the housing requirement that is consistent with national policy.

6. *To remedy this, and since submitting the EHDC for examination, I am advised that the Council are undertaking further work on their OAN and subsequent housing requirement correctly using the 2014 projections as the starting point. I assume this work is in addition to work already undertaken in the background document 'Updating the Overall Housing Need-based on 2014 projections for West Essex and East Hertfordshire' (reference HOP/011).*
7. *I would therefore like to establish the following points:*
 - a) *The exact nature of the work on housing being undertaken by the Council in the update housing studies*

There are four specific tasks that are being undertaken:

- **A review of the overall housing need in the context of the SHMA, the interim update prepared following the 2014-based household projections, the alignment between jobs and workers and the appropriate response to market signals. This will also take account of the latest ONS population estimates (which will be published in June) and the GLA household projections (on the basis that these will be made public). Based on all of the evidence, this review will provide clear recommendations on the OAN for East Hertfordshire and for the wider HMA;**
- **An update of the balance between the need for market housing and the need for affordable housing within the overall housing need. This will take account of the affordable housing delivered over the first 5 years of the plan period (2011-16) and re-establish the baseline need for affordable housing at 2016, and then consider the additional affordable housing need likely to arise over the remaining period of the Plan (2016-33);**
- **An analysis of the detailed evidence submitted by objectors to the District Plan in relation to OAN. This will identify the differences between the conclusions from the OAN review and each of these alternative assessments. A schedule will be provided that clearly sets out the relevant assumptions and the implications of each on the overall housing need; and**
- **A breakdown of migration trends between East Hertfordshire and key neighbouring areas including Harlow, Stevenage, Welwyn Hatfield and Greater London. This will identify the number of persons moving to and from each of these areas on an annual basis over at least a 10-year period. When considering the relationship with London in terms of past migration trends, this will be considered in the context of assumptions taken by the GLA relating to their most recent population projections**

and also the GLA projections that informed the Further Alterations to the London Plan (FALP).

- b) *Will it address the Housing Market Area as a whole and require a further Memorandum of Understanding between the Market Area Authorities?*

The review will provide clear recommendations on the OAN for East Hertfordshire and for the wider HMA.

The MoU dealing with the Distribution of Objectively Assessed Housing Need across the West Essex / East Hertfordshire Housing Market Area (included in SOC/001) will be updated to reflect the latest agreed position across the HMA.

- c) *Whether it will set out the Council's position on migration and unmet need from London?*

As set out under a) above, the additional work being undertaken will include a breakdown of migration trends between East Hertfordshire and Greater London. This will identify the number of persons moving to and from London on an annual basis over at least a 10-year period. When considering the relationship with London in terms of past migration trends, this will be considered in the context of assumptions taken by the GLA relating to their most recent population projections and also the GLA projections that informed the Further Alterations to the London Plan (FALP).

As one of the 'Wider South East' authorities, Officers and Members been involved in the strategic planning discussions led by the GLA, including through representation at the regular meetings of the GLA Strategic Spatial Planning Officer Liaison Group and the East of England Local Government Association. This will continue as the review of the London Plan develops. To date there has been no suggestion that East Hertfordshire will be expected to accommodate any unmet needs from London, and no formalised requests under the Duty to Co-operate have been received.

- d) *Whether the Council are likely to suggest modifications to the housing requirement policies and any other relevant policies in the EHDC based on their findings.*

The Submission version of the District Plan is based on an OAN of 16,390 homes which the Council recognises is out of date.

The Council's position at this stage is that the Inspector will be asked to recommend a main modification to reflect the latest OAN to emerge as a result of the further work being undertaken. An early review of the District Plan will be required should the updated OAN be in excess of the level of development identified within the Plan (18,040 homes).

- e) *A detailed timetable for submission of the updated housing study and suggested modifications.*

The updated housing study will be submitted to the examination in the week beginning 17 July 2017. Further detail on the timetable is provided in Examination Document 103 (ED103).

- f) *The Council's views on how consultation should take place if modifications are suggested to housing policies.*

Following submission of the updated housing study, if there are any main modifications emerging from the work that are required to make the Plan sound, the Council proposes that it would consult on these following the hearing sessions and prior to the issue of the Inspector's final report.

8. *It would be helpful if the Council could ensure that the proposed changes to household projections set out in the ONS consultation document (and referred to in the Council document reference HOP/012) are not applied to the Council's OAN, as it is too early in the process to rely on the suggested changes.*

Noted

Housing supply and the spatial strategy

9. *The development strategy shows that housing sites are proposed around Stevenage, Welwyn Garden City and Harlow, settlements which are outside the District. It would be helpful to know what stage the strategic plans are at for each of these areas and how the sites fit into their spatial strategy? Can the Council demonstrate that these sites are the best and most sustainable options to meet the housing requirement?*

Stevenage:

The Stevenage Borough Local Plan was submitted for examination on the 21 July 2016. The hearing sessions have recently completed. The proposed East Herts District Plan allocation to the east of Stevenage does not form part of the Stevenage Local Plan spatial strategy. The site was put forward by Stevenage Borough Council for consideration during the East Herts Preferred Options consultation. The proposed site allocation has been developed in close co-operation with the Borough Council and continues through a collaborative approach to masterplanning the site.

Welwyn Hatfield:

The Welwyn Hatfield Local Plan was submitted for examination on the 15 May 2017. The proposed East Herts District Plan allocation to the east of Welwyn Garden City is a cross-boundary site shared with

Welwyn Hatfield Borough Council and forms an integral part of their spatial strategy (Policy SP19). The two authorities have worked collaboratively in preparing a joint policy and strategy diagram for inclusion in both plans, and are continuing to work collaboratively in the masterplanning of the development proposal. Furthermore, the two authorities are committed to preparing a joint Supplementary Planning Document to guide the future development of the site.

Harlow:

The Harlow Local Plan is likely to be subject to a Regulation 19 Pre-Submission consultation in January 2018, with submission following in March 2018.

In their response to the Pre-Submission consultation on the East Herts District Plan, Harlow Council supported the proposed allocation of the Gilston Area for 10,000 homes and the delivery of associated infrastructure. Harlow Council's support for the site is reflected within the successful Garden Town bid, of which the Gilston Area forms a significant part. In addition, the MoU concerning distribution of development across the HMA (Appendix A to the Duty to Co-operate Compliance Statement (SOC/001)) demonstrates agreement among the constituent authorities with regards to the principle of development in that location. It is the view of both East Herts and Harlow Councils that significant new development on the periphery of Harlow will help regenerate the town by providing a higher quality housing offer and attracting new businesses.

The principle of development within all three locations was explored through the Supporting Document (SSS/001) prior to the District Plan Preferred Options consultation in 2014. Chapter 4 of the document provides an initial assessment for the broad areas East of Stevenage (section 4.10), East of Welwyn Garden City (section 4.11) and North of Harlow (4.12). Each Settlement Appraisal (SSS/008, SSS/009 and SSS/010) demonstrates the Council's consideration of why the three sites are the best and most sustainable options in the context of immediate alternatives, while the Development Strategy Topic Paper (TPA/001) demonstrates why the Council considers the development strategy as a whole is the best and most sustainable approach to meeting the housing requirement.

The Sustainability Appraisal (SUB/004) provides a high level assessment of the proposed development strategy when compared to reasonable alternatives. The SA concludes that, while the proposed strategy will lead to some negative effects, it provides a more sustainable approach to those alternatives.

The Council has signed an MoU with Welwyn Hatfield Council which identifies that there is mutual support for development on the eastern side of Welwyn Garden City. This MoU is included alongside this

response. A further MoU is currently being prepared with Stevenage Borough Council which will address the principle of development on land to the east of Stevenage. This will be submitted to the examination in due course.

10. *Given the extent of the Green Belt (GB) in the Borough, can the Council point to the evidence which demonstrates that more housing should not be located outside of the GB? What options were tested in terms of a greater number outside of the GB?*

The Sustainability Appraisal of the District Plan (SUB/004) considers different approaches to the distribution of development, including redirecting some Green Belt development to the rural area and redirecting some Green Belt development to two new settlements. In both instances the Sustainability Appraisal concludes that the alternative strategies would not be as sustainable as the proposed distribution of development. The question of locating a greater proportion of development beyond the Green Belt has been considered throughout the plan-making process as demonstrated in Section 2.9 of the Supporting Document (SSS/001) and through each stage of Sustainability Appraisal (Interim Sustainability Appraisal, 2014 (SUB/005), Core Strategy Issues and Options Sustainability Appraisal Report, 2010 (SUB/006)).

The 2014 Sustainability Appraisal (SUB/005) considered a spatial strategy which included a new settlement of 5,000 homes in a transport corridor, which while not location-specific, was assumed to be beyond the Green Belt. As part of the consideration of spatial distribution at the Strategic Housing Market Area scale (Section 6.5), the 2016 Sustainability Appraisal (SUB/004) considered a spatial distribution which included two new settlement options of 3,000 homes, which again, were not location-specific, but were assumed to be beyond the Green Belt. In both instances, the Sustainability Appraisal discounted these options for a number of reasons, including the lack of sustainable transport infrastructure and uncertainty of delivery, particularly within the plan period.

Furthermore, the Sustainability Appraisal explains how the Village Settlement Appraisal considered whether a greater proportion of homes could be delivered within the rural area of East Herts, and endorsed its conclusion that there are few locations which could accommodate development and that those locations are not capable of accommodating the scale of development required to replace proposed Green Belt allocations.

The Sustainability Appraisal also considered whether Buntingford, the District's only non-Green Belt town, could accommodate a greater proportion of development. As set out in the Settlement Appraisal (SSS/003), the town has already accommodated over 1,000 new homes through speculative development granted on appeal and through

approvals granted on sites proposed in the Preferred Options District Plan. The Inspector's decision on the two appeal sites referred to the town's inherent lack of sustainability given the lack of public transport and local employment opportunities. The Settlement Appraisal explains why the District Plan therefore proposes no further development in Buntingford.

The Green Belt Topic Paper (TPA/003) explains how the intensification through a higher density of development of four urban development opportunities was considered. The Council discounted these options due to the need to ensure a mix of uses is delivered on these sites and to ensure no demonstrable harm to the character of their environments.

11. *Policy DPS3 sets out that the total housing supply 2011 – 2013 is anticipated to be 18,040 (1,650 above the 16,390 figure). If the aforementioned further work on housing undertaken by the Council suggests that the supply should increase and further sites are needed, it will be up to the Council to identify these and I will not be assessing each omission site in this regard.*

Noted

12. *An updated position statement on the delivery of infrastructure should be provided alongside any updated housing study as this is fundamental to the delivery of the planned growth.*

Noted

Five Year Housing Land Supply

13. *This should be revisited as part of the Council's on-going housing work. In accordance with the NPPF the Council must demonstrate that they have a 5 year housing land supply. It must be robust and supported by evidence including a realistic prospect of delivery of sites (including commitments). I would like to see evidence of delivery rates (to establish the buffer) for a longer period than from 2011. Can I have details of delivery for the past 15 years as the NPPF indicates it must be persistent under delivery to warrant a 20% buffer? What evidence is there that Neighbourhood Plans will deliver any housing in the villages during the next 5 years? Could the approach to development in the villages lead to double counting with elements of the windfall allowance for the wider 2017-2027 period (i.e. In the future, will what would have come as forward as Windfalls in villages come forward as allocations in instead)?*

The table below shows the delivery rates over the last 15 monitoring years. The housing target has differed between the monitoring years. Between 1991 and 2011 the Local Plan Second Review stated that East Herts should provide 11,100 dwellings at an average of 555 dwellings per annum. The East of England Plan (May 2008) then identified that East Herts should provide 12,000 dwellings between 2001 and 2021, an average of 660 dwellings per annum from April 2006. The West Essex

and East Hertfordshire SHMA then concluded that the OAN for housing was 16,390 over the plan period (2011-2033), an average of 745 dwellings per annum.

The table below seeks to show the annual completions against the current targets at that time; there is some overlap between the Herts Structure Plan and the East of England targets.

Monitoring Year	01/02	02/03	03/04	04/05	05/06	06/07	07/08
Completions	605	376	250	347	562	777	557
Herts Structure Plan (1991-2011)	555	555	555	555	555	555	555
East of England Plan (RSS14) (2001-2021)						660	660
SHMA September 2015 (2011-2033)							

08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16
553	469	200	383	699	366	503	674
660	660	660					
			745	745	745	745	745

- Average Completions under the Herts Structure Plan (May 2001 – April 2008): 496
- Average Completions under the East of England Plan (May 2006 – April 2011): 511
- Average Completions under the SHMA (May 2011 – April 2016): 525

Following the latest completions figures and updated commitments position published in the 2015-16 AMR, an exercise was undertaken to establish an updated Strategy Worksheet and ensure there was no double counting in relation to Windfall and Village figures.

The Village figure relates to development that comes forward *within* a village or immediately adjacent to a village. For those Group 1 and 2 villages that have settlement boundaries this applies to sites coming forward within the boundary or immediately adjacent to; for those without boundaries the same rule will apply but some-level of judgement will be needed.

The windfall figure will include development not encompassed above; therefore anything in the rural area or in the towns. Housing data is prepared and monitored geographically through the AMR process and therefore future commitments and completions will be easily categorised using the same rules as above.

Once the figure of 500 (VILL4) is met through village development, any further development that comes forward within or adjacent to a village will be considered as Windfall development and categorised as such.

A number of Parish Councils are in the process of preparing Neighbourhood Plans for their areas. The table below identifies progress to date for those Neighbourhood Plans that cover rural locations.

Neighbourhood Plan	Current stage
Braughing	Submitted to the Council for Regulation 16 consultation
Walkern	Regulation 14 consultation undertaken in January 2017
Standon	Regulation 14 consultation undertaken in November 2017
Brickendon Liberty	Area designation agreed
Eastwick, Gilston & Hunsdon	Area designation agreed
Hertford Heath	Area designation agreed
Hertingfordbury	Area designation agreed
Little Hadham	Area designation agreed
Much Hadham	Area designation agreed
Thundridge	Area designation agreed
Watton at Stone	Area designation agreed

The draft Neighbourhood Plans for both Braughing and Standon Parishes identify sufficient sites in order to deliver a minimum 10% increase in housing stock in accordance with Policy VILL1 of the District Plan.

In addition to these emerging Neighbourhood Plans, there are existing commitments totalling 346 dwellings in village locations. This figure includes 82 dwellings on a site in Walkern, a Group 1 village. As a result of this planning permission, the draft Walkern Neighbourhood Plan does not identify any further sites for development.