

## ANNEX 1 – Question 6

Europcar House, Aldenham Road, Bushey WD23 2QQ is an allocated housing site under Policy SADM 1. Under site ref H8, the SADM document anticipates that the site could deliver 19 residential units, of largely two storeys with potential for some three storey development.

Locksbridge Estates (Bushey) Limited is the freehold owner of this site and these representations are made on their behalf in respect to the proposed allocation. Firstly, they support, in principle, the proposed residential allocation however the indicative allocation for 19 units at two storeys has no regard to the existing building and its potential for conversion, the site planning history and on-going discussions between officers at Hertsmere Borough Council and the landowner and pre-application advice.

The current building is three storeys plus basement with the equivalent of a fourth storey in height created by the roof which encloses plant space. Historically, the site was a quarry and as such, sits lower than much of the neighbouring land. This is demonstrated by two storey properties to the east of the site (on Highfield Road) standing taller than the four storey Europcar House. The area around Europcar House is almost predominantly residential.

The site was subject to an Application of Prior Notification under Part J of the Town and Country Planning (General Permitted Development) Order 1995 (As Amended Si 2013 No. 1101) (now Part O of the consolidated Town and Country Planning (General Permitted Development) Order 2015). The notification proposed the change of use of Europcar House from B1(a) office to 40 residential units. On 19<sup>th</sup> November 2014 the Council wrote to confirm that, in accordance with details provided, prior approval was not required (decision notice attached in Appendix 1).

As a result, under Class O of the GPDO, Europcar House could lawfully be converted to 40 residential units. Given that DCLG, as we understand, intend to extend these Permitted Development Rights beyond the current deadline for use to be begun (May 30<sup>th</sup> 2016) the site is considered capable of delivering 40 residential units within the existing envelope.

Further to this, since January 2015, the freehold owner has been engaged with Hertsmere BC planning officers and local Councillors in respect of proposals to redevelop Europcar House for residential use. The proposals centre on the conversion of and extension to the existing building. The pre-application proposals have promoted a scheme of 60-70 residential units. A planning application for the site will be submitted before the end of this year (2015).

To date, officers have expressed 'in-principle' support for an extension to the building and a County Council Highways officer has confirmed that the latest iteration of the scheme (62 units) could be accommodated on site without having an adverse impact on the local highway infrastructure. In fact, in the latest officer response to the pre-application advice request, received on the 21<sup>st</sup> July 2015 (10 days prior to the release of the SADM document ), officers stated the following:

*“SADM1 advises that development should largely be no more than 2 storeys, although there may be opportunities for some 3 storey development. A mix of houses and flats could be acceptable due to compliance with all other policies and development guidance. **The proposed development has been the subject of detailed pre-application discussions and Officers have confirmed that a larger development would be acceptable, subject to compliance with all relevant policies and guidance.**”*  
(emphasis added)

Development Management officers at Hertsmere BC have indicated that the relevant policies can be satisfied subject to minor modification. These amendments would not impact on the number of units that could be provided on this site. As a result, the site is capable of delivering 60-70 residential units.

With respect to the above, the proposed allocation is not considered sound by virtue of failing to be positively prepared, justified or consistent with national policy. The reasons for being considered unsound is as follows:

### **Positively Prepared**

A plan should be prepared in order to meet objectively assessed requirements in a positive manner. Where sites are available and deliverable, in line with the presumption in favour of sustainable development, they should be maximised in order to deliver housing both to meet the area's own needs and those of neighbouring authorities. When a site is deemed appropriate for residential use and can justifiably demonstrate delivery at a certain level the Local Plan should plan positively to accommodate it.

Europcar House can demonstrate a minimum delivery of 40 units through Permitted Development Rights and officers have confirmed that the site is capable of delivering between 60-70 units. An allocation of 19 units represents a significant under-provision against the sites potential and cannot be considered to be "planning positively".

The purpose of site allocations is to add certainty to housing delivery, maximising their reasonable potential and reducing reliance on windfall development. To allocate an under provision on a site without acknowledging the extant planning history, despite SADM1 stating the below, is not considered planning positively to meet the objectively assessed need.

*"The estimated number of dwellings in Policy SADM1 has taken into account:*

- *information contained within the SHLAA;*
- *identified development constraints; and*
- ***indicative schemes put forward by agents or site owners through the call for sites and which have been discussed with officers informally or through a formal planning pre-application meeting.*** (emphasis added)

### **Justified**

A plan should be prepared to demonstrate the most appropriate strategy for delivering housing growth. Europcar House has established the right to change the use of the building to 40 residential units. This should be a material consideration and as a minimum should be the allocation attached to the site.

Proposing a scale of development that is less than the existing building on site, without explanation as to why and contrary to officers' advice is neither justifiable nor reasonable.

The 19 unit site allocation is based on no reasonable evidence and ignores the site's potential in which is excess of 40 units and up to 60-70 units.

### **Consistent with National Policy**

The National Planning Policy Framework requires that a Local Planning Authority should 'positively seek opportunities to meet the development needs of their area'. A plan should be up-to-date and provide a practical framework on which decisions on planning applications can be made.

To allocate the site for 19 units at two storeys, in light of the Prior Approval application and pre-application discussions, means the allocation would be immediately out of date and would not set a usable planning framework – i.e. it would have no weight given the permitted development rights and the development deemed acceptable, in principle, by officers for 60-70 units.

It is therefore not consistent with the National Planning Policy Framework.