

Christine Whyte

From: Mark Aylward <mark@aylwardplanning.co.uk>
Sent: 14 September 2015 09:17
To: Local Plan
Cc: Oliver King
Subject: Repls re SADM
Attachments: SADM-Response-form AYLWARD.pdf; AYLWARD REPS APX1.pdf; AYLWARD REPS APX2.pdf; AYLWARD REPS APX4.pdf

Dear Sir / Madam

Please see attached representations made on behalf of the landowner and King & Co for the subject site as identified. This comprises:

- Completed SADM pro-forma document;
- Site Appraisal document (parts 1 and 2- part 3 by separate cover); and
- Support letter by Metropolitan Housing.

Kind Regards

Mark A

Mark Aylward
Director
ATP

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Site Allocations and Development Management Policies Plan (SADM)

Publication Stage Representation Form

For office use only

Reference No:

Date received:

Please use this form to make Representations

Please return to Hertsmere Borough Council by 5pm on Monday 14 September 2015

By post: Policy and Transport Team, Planning and Building Control, Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood, Herts, WD6 1WA.

By email: local.plan@hertsmere.gov.uk

This form has three parts:

Part A – Personal details (only needed once).

Part B – Your representation(s). Please complete a separate sheet (Part B) for every representation you wish to make, remembering to insert your or your organisation’s name at the top of the page.

Part C – What information you want the Council to provide you with about future progress of SADM (only needed once).

Please read the guidance notes at the end before completing this form. They explain the terms used and will help you make your representation(s).

Table with 3 columns: Part A, 1. Personal details*, 2. Agent details (if applicable). Rows include Title, First name, Last name, Job title, Organisation, Address, Post Code, Telephone number, and Email address.

*If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2.

Please note that all representations received will be made publicly available and cannot be treated as confidential. This means that the names of all those making representations will be publicly available. Other personal information relating to private individuals, including Contact details, will not however be made publicly available.



Name or organisation:

For office use only

Ref No:

support:

object:

change:

IMPORTANT: Please use a separate Part B form for each representation**3. To which part of SADM ('the Plan') does this representation relate?**

Paragraph

Policy

SADM

Policies Map

6

Other part
of Plan
(specify)**4. In relation to the part of the Plan you identified in 3, do you consider the Plan to be:**

The representor has previously submitted proposals for two adjacent parcels of land- this parcel which covers 1.2 hectares immediately adjacent to the village envelope and a larger 7 hectare site which is further from the village envelope and separated by a minor watercourse. The Council has undertaken a review of both sites and concluded that there should be no case for any adjustment of the village envelope (to include either site). In the event that this site was included within the village envelope, it would remain washed over by Green Belt but could provide an opportunity for appropriate infilling subject to policy CS13. A brief analysis is included as an appendix.

The Council's consultation response for both plots A (this site which is considerably smaller and adjacent to the village envelope) and plot B (considerably larger and more remote from built form and the village settlement boundary) are detailed but they are effectively consistent and the majority of the content is repeated on a verbatim basis. The comments made in terms of scale, plot size and physical location are paraphrased below.

"This area is in the middle of the Green Belt. It is agricultural land and not physically part of the built area of South Mimms village. The size of the proposal (whether added to Plot A or not) is considered to be substantial and well beyond the scale of limited infilling. It would therefore be inappropriate to adjust the boundary of the village envelope to accommodate the proposal. The proposal represents a substantial change to the Green Belt, more appropriately considered as part of a major review of the Green Belt. The review of the Core Strategy will require a reassessment of objectively assessed needs for housing and employment development and a comprehensive Green Belt Study.. The Council intends to conduct such consultations sensitively and transparently with the appropriate evidence available. A Green Belt Study will be commissioned in 2015 to reassess the contribution of land to the Green Belt. Allocating this land would entail a major Green Belt release. Such an allocation is not needed to deliver the Core Strategy housing target, and is therefore inappropriate."

In terms of Plot B (which we confirm is not being progressed), on reflection we would not necessarily challenge the conclusions drawn as that land parcel is:

- agricultural in nature;
- separated by built form by distance;
- separated by a natural boundary (watercourse); and
- unable to provide a contiguous form of development with the remainder of the village envelope.

In terms of Plot A, the site is considerably smaller than Plot B and immediately adjacent to the village envelope. It is previously developed (having been formerly used as a depot with existing areas of hard standing that formerly supported built form) and has an existing gated access. We fundamentally reject the Council's comments in terms of location and scale relative to the village envelope.

Whilst we note a brief caveat in the Council's response to plot A and plot B to seek to differentiate, the degree of repetition makes it clear that there has been no careful assessment of plot A which has in effect been treated as an extension of plot B. It is incorrect to state that Plot B is in the middle of the Green Belt or mainly in agricultural use.

We also note that the Council advise that the site would not be needed to meet Core Strategy housing targets and that (owing to the intimation that it is a much larger and less well related site) it would represent a major Green Belt release. We are aware that evidence is being compiled through the SHMA process which could well conclude that market housing requirements are more acute than have been noted by the Core Strategy (and would thus require more robust consideration of Green Belt release). However, both the adopted Core Strategy and the draft publication SADM highlight that there are very pressing needs for and under-provision for affordable housing.

We have already set out that the conclusions afforded in terms of location and scale for the subject site (by the Council) are simply incorrect. We also highlight now that the proposal is for an affordable-led scheme (at least 50% affordable provision) and the representor has secured the commitment of Metropolitan Housing as a delivery partner to ensure that these much needed affordable homes can be built out and meet those pressing needs.

4(a) Legally Compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	no comment to make	<input checked="" type="checkbox"/>
4(b) Compliant with the Duty to Co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	no comment to make	<input checked="" type="checkbox"/>
4(c) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	no comment to make	<input type="checkbox"/>

If you have entered 'No' to 4(c), please continue to Q5. In all other circumstances, please go to Q6.

5. If you consider the Plan to be unsound is this because it is not:

5(a) Positively prepared	<input checked="" type="checkbox"/>	Please tick which box(es) apply
5(b) Justified	<input checked="" type="checkbox"/>	
5(c) Effective	<input type="checkbox"/>	
5(d) Consistent with national policy	<input type="checkbox"/>	

**6. If you consider the Plan is not legally compliant or fails to comply with the Duty to Co-operate or, having regard to the criteria you ticked at 5 above relating to soundness is unsound, please give details of why. Please be as precise as possible.
If you wish to comment in support of the Plan's legal compliance, compliance with the Duty to Co-operate or soundness or wish to make any other comment, please also use this box.**

7. Please set out as precisely as possible what change(s) you consider necessary to make the Plan

- legally compliant or**
- sound (having regard to the criteria you ticked at 5 above relating to soundness).**

You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

The assessment of the subject site undertaken is inaccurate- the site is neither in the middle of the Green Belt and nor is it in principal agricultural use. It is plain that key conclusions have been drawn in terms of Plot B (which is much larger and is further separated from any built form) and simply replicated for Plot A. If it had been assessed on its merits those conclusions could not have been properly reached.

We also note that whilst the Council's Core Strategy may not identify and substantive requirement for seeking new sites for market housing, it is our understanding that the emerging evidence for the SHMA will highlight more pressing housing needs and also that the SADM and Core Strategy already note that there is a pressing need for and undersupply of affordable housing.

The previously submitted representation clarified that the proposal would be affordable-led (at least 50% affordable) and there is no evidence that this was given material weight in the Council's analysis. We can also now confirm that Metropolitan Housing have provided commitment to being the delivery partner on this site and as such provides a very clear mechanism to deliver affordable housing immediately.

We conclude that the Plan has not been prepared positively as it fails to properly assess this site and give weight to the need to deliver affordable housing on a site immediately edge of envelope.

We would recommend that the site be included within the Village Envelope and would be content for a specific reference to the site within the policy (and annotated on the plan) which would require that any such scheme should be affordable-led.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity for further submissions based on the representation you are currently making. After this current publication stage, further submissions will only be able to be made at the Inspector's request, based on the matters and issues he/she identifies for Examination.

8. If you do not consider the Plan to be sound and the Council is prepared to make changes to the Plan which reflect your suggested change, would you be prepared to enter into a 'Statement of Common Ground' with this Council?

Yes No

9. If your representation is seeking a modification/change to the Plan, do you consider it necessary to participate at the oral part of the Examination?

No, I do not wish to participate at the oral Examination Yes, I wish to participate at the oral Examination

10. If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary:

It is important to clarify that the assertion that the site is "large and in the middle of the Green Belt" is simply incorrect and to demonstrate that the site provides a well-considered opportunity for housing which is affordable-led with operator commitment.

The suggested amendment to the Village Envelope does not constitute a Green Belt release, simply a consideration for infilling subject to other tests. The site provides an opportunity for a discrete infill using a site which is previously developed with an existing access, and bounded by a watercourse and road which means that the boundary is eminently defensible.

Dialogue has been had with the County Council which was a previous owner of the site and maintains covenanted interests in the site. We understand that there is full agreement from all landowners to these proposals, and that there is local support for this discrete site which can deliver much needed affordable housing. With this and the commitment of an affordable housing operator there is a genuine opportunity for delivery of a need which is not fully met as identified in the SADM.

Clearly the Council has reached different conclusions, and we think it unhelpful for the Inspector for the Council's current assertions to go unchallenged in this respect. By participation we can clarify these matters and respond to questions to assist the Inspector's analysis.

***Please note:** the Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the oral part of the Examination.*

Signature: _____ **Date:** _____

Part C (Only needed once)

Name (Print): _____ **MARK AYLWARD** _____

If you wish to be informed of the date of the submission of the Plan to the Secretary of State, please tick this box.

If you wish to be informed of the recommendations of the Inspector appointed by the Secretary of State to carry out the independent Examination of the Plan, please tick this box.

If you wish to be informed of the adoption of the Plan by Hertsmere Borough Council please tick this box.

If you no longer wish to receive communications from the Council on SADM please tick this box.