



Strategic Planning Research Unit
A specialist team within DLP Planning Ltd

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
APPEAL BY: Countryside Partnership Ltd and Wattsdown Developments Ltd

**REBUTTAL PROOF OF EVIDENCE OF ROLAND BOLTON
ON FIVE YEAR LAND SUPPLY,
AFFORDABLE HOUSING AND SELF BUILD**

An Appeal against the refusal of planning permission by East Hertfordshire District Council under
Section 78 of the Town and Country Planning Act 1990

Land East of the A10, Buntingford, Hertfordshire

LPA Reference: 3/23/1447/OUT

PINS REFERENCE: APP/J1915/W/24/3340497

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And
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CONTENTS	PAGE
1.0 INTRODUCTION.....	3
2.0 THE REDUCTION OF WEIGHT ATTRIBUTED TO THE PROVISION OF HOUSING BASED ON THE COUNCIL MEETING ITS HOUSING NEED	3
3.0 DELIVERY OF THE APPEAL SITE.....	3
4.0 CHANGES TO THE SCOTT SCHEDULE ON LAND SUPPLY	5
APPENDIX 1: THE SCOTT SCHEDULE OF CONTESTED SITES	8

1.0 INTRODUCTION

1.1 This Rebuttal Proof of Evidence is in response to the emerging evidence on the five year land supply form the council including correction in the numbers of dwellings completed on sites and new information that was not in the original 5 year land position statement (CD5.3) of ease of reading this additional evidence has been added to the Scott Schedule replicated from the draft SoCG at the time of the submission of this rebuttal. The additional comments have been highlighted so that they can be identified as changes or additions to my original evidence.

2.0 THE REDUCTION OF WEIGHT ATTRIBUTED TO THE PROVISION OF HOUSING BASED ON THE COUNCIL MEETING ITS HOUSING NEED

2.1 The Council state (Mr Hester PoE paragraph 6.59) that the council can demonstrate that it is meeting its housing needs though the identified sites.

2.2 Paragraph 2.34 of the SoCG states that it is agreed that there has been an undersupply of affordable housing throughout the local plan period.

2.3 Table 1 of the SoCG highlights that to 2022/23 the council had undersupplied all housing by 1,937 dwellings. Table 2 shows in the period 2017 – 2022 the undersupply was 3,029 dwellings.

2.4 This does not represent a position that the council has been meeting its housing needs. All the five year land supply calculation does is set out a forecast to whether the council may or may not meet the minimum requirement for housing in the next five years.

3.0 DELIVERY OF THE APPEAL SITE

3.1 The council in their evidence compare the details of the Housing Delivery Statement provided by the appellants with my assessment of delivery from other sites contained in the Councils supply.

3.2 I have taken further advice on the Housing Delivery Statement and the appellants have highlighted that Vistry is one of the Country's largest housebuilders and can use two outlets for market homes (Bovis and Linden brands) and also has its own partnerships business to pre-sell and build the affordable dwellings. This therefore means three potential outlets on site only two of which are selling into the market.

3.3 The appellants have also highlighted that different from other developers the "Vistry Works"

is an instrumental part of the Vistry Group strategy which allows them to deliver modern methods of construction at scale and build high quality new homes faster, more economically and in a more environmentally friendly way.

3.4 Vistry Works comprises three factories: Vistry Works Warrington, Vistry Works Leicester, and the newly relaunched Vistry Works East Midlands.

3.5 Between these factories there is capability to create open timber frame panels, closed timber frame panels, hybrid panels, floor cassettes and roof trusses.

3.6 These three factories have the capacity to deliver over 7,000 homes per annum using pre-manufactured 2D structural systems.

3.7 The appearance informs me that on average 10 weeks minimum is saved from timber frame to traditional construction methods vastly reducing time in site and producing higher numbers of completions over a 12 month period.

3.8 I have discussed the predicted completions with the appellants and they describe “a cautiously optimistic” programme from an appeal decision to implementation as follows:

- August 24 – Planning permission
- March 25 – Reserved matters approval (we have the detailed application material as a starting point).
- April 25-March 26 – 40 dwellings
- April 26-March 27 – 100 dwellings
- April 27-March 28 – 100 dwellings.

3.9 This suggests a total of 240 dwellings by end of March 2028 which is the end of the council's five year land supply period

3.10 The explanation of the ability to submit a Reserved matters application so quickly is that the s106 will have been signed and that they already have the detailed application material as a starting point.

3.11 This timing of course is dependent upon the council dealing with the reserved matters in a timely manner.

3.12 In my evidence I have referred to Start to Finish (CD17.20) and figure 3.2 which indicates that for sites of this size (100 – 499) it will only take just over a year to secure outline consent but a further 4.6 years to secure the first dwelling. I have highlighted in my original evidence the time and knowledge that the appellant has regarding the site as well as the extended

time the site has been promoted through the planning system. This time spent in promoting the suite and past applications means that in this particular case much of the work normally undertaken post outline approval has actually already been undertaken this I consider will foreshorten this average time from outline to both obtaining Reserved Matters and this work together with the “Vistry Works” approach described above will foreshorten the time between reserved matters approval and first completions.

- 3.13 The Vistry Works approach described above is also the justification for the higher than normal expected build out rate together with the high level of affordable housing.
- 3.14 It is my view given the above that there will be a meaningful level of completions within the next 4 years.
- 3.15 Lastly the council seek to downgrade the weight attributed to the provision of housing because it will not contribute meaningfully to the present five year land supply with its start date in 2023. The housing on this site will count in future land supply calculations. More importantly the purpose of the Framework is to deliver a sufficient supply of homes in the long term (the five year land supply is just one of a number of policy mechanisms to secure this) and the appeal will certainly increase the number of homes available in the District. The impact of providing homes for those who move into them is clearly a very significant benefit to those households, in some cases allowing households to form, or have children.

4.0 CHANGES TO THE SCOTT SCHEDULE ON LAND SUPPLY

- 4.1 Since my proof there are some additional points to put to the council in light of their evidence and for ease these have been included in a revised Scott Schedule based upon the emerging SoCG.
- 4.2 These are a correction for ASR5 where the correctly calculated build rate is $44 \times 5 = 220$ not 264 as in my original schedule. I note that the council are stating now that there are only 257 dwellings to be delivered on this site not 310 dwellings so the SoCG might pick this up once it is agreed.
- 4.3 The other change is the council in their evidence remove the Bishop Stortford Goods Yard site from Category A to Category B and claim that 423 dwellings will be delivered on that site in the next five years. My revised evidence on the new outline application is that there is not clear evidence for the delivery of these dwellings in the next five years. The impact of these changes on tables 4 and 5 is demonstrated on the next two pages.

Table 1. The five-year housing land supply position in East Herts for the period 20023/24 to 2027/28

		EHDC 2023/24 using updated Affordability Ratio	SPRU 2023/24 using original Affordability Ratio	SPRU 2023/24 using updated Affordability Ratio
Need		1,041	1,112	1,041
Buffer		0	0	0
5 Year requirement		5,205	5,560	5,205
Number expected to be completed in Years 1-5 EHDC		6,360	6,360	6,360
Disputed sites by SPRU				
Deliverable part a				
3/21/1100/REM 3/21/2054/VAR	Land south of Hadham Road Bishop's Stortford		0	0
3/13/0804/OP	ASR's 1-4 Land at Bishop's Stortford North		-600	-600
3/21/2339/REM 3/20/0683/REM	ASR 5, Land at Bishop's Stortford North		-90	-90
3/17/2588/OUT	Bishops Stortford Goods Yard, Station Road,		0	0
3/17/0414/REM			0	0
District Plan and Neighbourhood Plan Site Allocations				
BISH6	Bishop's Stortford High School		-223	-223
BISH7	The Goods Yard, Bishop's Stortford		-423	-423
BISH8	The Causeway		-150	-150
0	North-West Buntingford		-58	-58
HERT3	West of Hertford (North)		-200	-200
HERT4	North of Hertford (North)		-118	-118
SAWB4	North of Sawbridgeworth		0	0
WARE2	Land North and East of Ware		-75	-75
GA1	The Gilston Area (Villages 1 - 6)		-100	-100
GA1	Gilston Village 7 Land Off Church Lane		-50	-50
EWEL1	Land East of Welwyn GC		-125	-125
	Walkern Road		-60	-60
Supply		6,360	4,088	4,088
Five Year land Supply		6.11	3.68	3.93
Over/undersupply		1,155	-1,472	-1,117

Table 2. The five-year housing land supply position in East Herts for the period 2024/25 to 2028/29

		EHDC 2024/25 using updated Affordability Ratio	SPRU 2024/25 using updated Affordability Ratio
Need		1,041	1,041
Buffer		0	0
5 Year requirement		5,205	5,205
Number expected to be completed in Years 1-5 EHDC		6,360	6,360
Disputed sites by SPRU			
Deliverable part a			
3/21/1100/REM 3/21/2054/VAR	Land south of Hadham Road Bishop's Stortford		-49
3/13/0804/OP	ASR's 1-4 Land at Bishop's Stortford North		-600
3/21/2339/REM 3/20/0683/REM	ASR 5, Land at Bishop's Stortford North		-17
3/17/2588/OUT	Bishops Stortford Goods Yard, Station Road,		0
3/17/0414/REM			-66
District Plan and Neighbourhood Plan Site Allocations			
BISH6	Bishop's Stortford High School		-223
BISH7	The Goods Yard, Bishop's Stortford		-423
BISH8	The Causeway		-150
0	North-West Buntingford		-58
HERT3	West of Hertford (North)		-300
HERT4	North of Hertford (North)		-118
SAWB4	North of Sawbridgeworth		0
WARE2	Land North and East of Ware		-150
GA1	The Gilston Area (Villages 1 - 6)		-200
GA1	Gilston Village 7 Land Off Church Lane		-100
EWEL1	Land East of Welwyn GC		-200
0	Walkern Road		0
Adjustments for 2024/25			
Less Estimated Completions in 2023/24 as predicted by the council		-1,164	-1,164
Plus EHDC estimated completions for sites in 2028/29		860	860
Plus new PP		129	129
Supply		6,185	3,531
Five Year land Supply		5.94	3.39
Over/undersupply		980	-1,674

APPENDIX 1: THE SCOTT SCHEDULE OF CONTESTED SITES

Table 1: SCOTT SCHEDULE of Category A sites

Planning Application Ref	Address	Total Residual at 1 April 2023	5-Year Supply 2023-2028			5-Year Supply 2024-2029			Council Commentary	Appellant Commentary	Council Update
			Council	Appellant	Difference	Council	Appellant	Difference			
3/13/0804/OP	ASR's 1-4 Land at Bishop's Stortford North		1300	700	-600	1300	700	-600	<p>First completions 84 in 2018/19. Completion data shows 890 dwellings completed up to 2022/23. The average from 2019-2023 is 202 dwellings per annum on average.</p> <p>The build out rate of 260 dpa has been achieved during 2019/20 and 2020/21 with 286 and 267 homes completed (as evidenced by EHDC completion rates).</p> <p>Completion data for 2023/24 is pending.</p> <p>Revised Phasing Plan (subject to a current application ref: X/24/0062/CND) proposes all remaining parcels to commence by 2025 therefore, it remains the housebuilders intention to deliver upwards of 260 homes per annum.</p> <p>Previous Inspector accepted build rate for this site in 2023.</p>	<p>RM applications identified by the council suggest there to be reserved matters for some 451 dwellings (plus a further 114 pending). This leaves a considerable amount of the claimed supply as Category B sites which require the council to produce clear evidence of delivery.</p> <p>The completion rate over the five year period averages 178 dpa (890/5) and while this was considerable exceeded on two occasions it was also considerably undershot on three other occasions. Completions in the last two years have dropped to 105 dpa.</p> <p>Falling completion rates over past 4 years and lack of evidence with regard to sites left without RM approvals as well as the proven over optimism of the developer and council suggest that the most reliable completion rate to use would be 140 dpa as this relates to the local circumstances and the wider evidence from "Start to Finish" 3rd</p>	<p>Phasing Plan confirms build programme from all developers (including Vistry, Taylor Wimpey, Tlia and Persimmon) who plan to commence building all remaining development parcels in the Eastern Neighbourhood in 2024 and 2025. The largest parcel is 211 (D, E, F and G) which Vistry is advancing via RMA.</p> <p>With 5 developers on site there is strong evidence and record of delivering substantially in excess of 178dpa (the average from last 5 years).</p> <p>Drop of rate in last 2 years reflects end of construction of Western Neighbourhood (Phase 1) and the beginning of the construction period of the Eastern Neighbourhood.</p> <p>Evidence suggests dpa fluctuates which reflects construction activity on individual parcels.</p> <p>The site remains clearly deliverable with 4 or 5</p>

Planning Application Ref	Address	Total Residual at 1 April 2023	5-Year Supply 2023-2028			5-Year Supply 2024-2029			Council Commentary	Appellant Commentary	Council Update
			Council	Appellant	Difference	Council	Appellant	Difference			
3/21/2339/ REM 3/20/0683/ REM	ASR 5, Land at Bishop's Stortford North	310	310	220	-90	230	213	-17	<p>Previous Inspector accepted build rate for this site in 2023 Whempstead Appeal.</p> <p>2018/19 suggests EHC completion rates of 70 to 80 are reasonable. Over a 5 year period, this drops to 62 dpa which is deliverable on the basis of the build rates achieved on this site.</p>	<p>The first completions on this site were in 2018/19 (69 dwgs).</p> <p>There are now (04.04.24) some 219 dwgs completed between 2018/19 to 2022/23.</p> <p>This is an average of an average of 44 dwgs.</p> <p>44 dpa is the median delivery of sites of this size (100 to 499) "Start to Finish"</p> <p>The council have chosen not to share the updated completion figure with the appellant. But if as suggested there are additional completions in 22/23 but the then there cannot be 310 left to be delivered on the site within the councils five year period.</p> <p>The 310 in the supply was based on the residual of 529 – 219 completions. If completions were</p>	<p>developers at site at the same time.</p> <p>All of the evidence suggests developers are aiming to complete remaining parcels in line with the phasing plan.</p> <p>No compelling evidence exists which indicates the build rates should be reduced as suggested by the appellant.</p> <p>Updated Completions data indicates by 22/23 there were 272 completions which averages out at 54 dpa (first completions in 18/19).</p> <p>There are a further (up to) 257 homes due for completion which averages 51 dwellings per annum which is consistent with earlier data.</p> <p>This is clear evidence of delivery rates indicates the completion of all remaining units within the 5 years.</p>

Planning Application Ref	Address	Total Residual at 1 April 2023	5-Year Supply 2023-2028			5-Year Supply 2024-2029			Council Commentary	Appellant Commentary	Council Update
			Council	Appellant	Difference	Council	Appellant	Difference			
									<p>higher at 272 then this would only leave 257 to be completed within the plan period.</p> <p>It is not clear that the Wheampstead Inspector discussed the build rate on this site in their decision (CD17.11)</p> <p>It is noted that in the last two years according to the council's PoE appendix 1 there were 27 completions in 2022/23 and 24 completions in 2023/24.</p> <p>At 44 dpa the site would deliver some 220 dwellings in the next five years and this is close to the level of remaining dwellings yet to be completed on the site 257 dwellings.</p>		
3/17/2588/ OUT	Bishops Stortford Goods Yard, Station Road,							The council agree that this site should now be considered as a Category B site.			
3/17/0414/ REM	Area 3, Land south of Hare Street Road	81	81	81	0	66	0	-66	Completion data shows 81 dwellings completed in 2023/24.	As of 2/04/24 all properties completed and sold by Wheatley Homes.	

Table 2: Scott Schedule for Category B sites

Planning Application Ref	Address	Total net dwellings proposed	5-Year Supply 2023-2028			5-Year Supply 2024-2029			Council Commentary	Appellant Commentary	Council Update
			Council	Appellant	Difference	Council	Appellant	Difference			
BISH6	Bishop's Stortford High School	223	223	0	-223	223	0	-223	<p>School is due to close end of the academic year and move to the new site in September 2024.</p> <p>Applicant has confirmed that the s106 (for the outline) should be signed by Bellway and other parties by the end of July.</p> <p>Pre-application discussions on the reserved matters have commenced May 2024.</p> <p>Applicant confirms RM to be submitted in summer 2024 with target decision by January and a start on site should be within a few months of decision.</p> <p>Based on these assumptions – the developer (Bellway) consider they are in a strong position to deliver the full scheme of 223 dwellings within the next 5 years.</p> <p>Further detail set out in proforma with Housing Position Statement (March 2024) but above position reflects current planning status.</p>	<p>The council were clear at the time of publication of the position statement in March 2024 that the available evidence at that time did not represent clear evidence of delivery and as such the site was not included in the supply.</p> <p>At the base date of the assessment March 2023 the school was still operating from the site so it was clearly not available at that time.</p> <p>There are no permissions on this site.</p> <p>The s106 has not been signed and no RM have yet been submitted in respect of 3/20/0151/OUT.</p> <p>The council suggest in their appendix 1 that the appellant should provide clear evidence this is not the correct test.</p>	<p>EH has clear evidence that the applicant/housebuilder (Bellway) intends to sign the s106 (in July 2024), bring forward reserved matters in accordance with the masterplan and outline permission and aim to be on this allocated site in 2025.</p> <p>Applicant has agreed to enter into a PPA with the LPA through to a decision on the reserved matters.</p> <p>This represents clear material progress from March Position Statement which justifies the site being included to Category B.</p>
BISH7	The Goods Yard, Bishop's Stortford	423	423	0	-423	423	0	-423	<p>Hybrid application for 423 dwellings (245 in detail/178 in outline) subject to Ref: 3/22/1613/OUT are to be</p>	<p>The council have agreed that this site now falls within category B.</p>	<p>Previous consent is not anticipated to be implemented.</p>

Planning Application Ref	Address	Total net dwellings proposed	5-Year Supply 2023-2028			5-Year Supply 2024-2029			Council Commentary	Appellant Commentary	Council Update
			Council	Appellant	Difference	Council	Appellant	Difference			
									<p>determined in 2024 in accordance with approved masterplan. Moved To Category B.</p> <p>Completion data and Applicant has confirmed 323 homes completed under original planning permission (in Blocks A and B). 109 units were completed in 2023/24 and 149 in 2022/23.</p> <p>The above delivery rates demonstrates that the outstanding dwellings could be delivered by 2028.</p> <p>S106 Draft is being advanced.</p> <p>Development in accordance with Approved Masterplan.</p>	<p>The new hybrid application 3/22/1613/OUT is for 178 dwellings in detail and 245 dwellings in outline.</p> <p>The new hybrid application is clear evidence that the existing consents are unlikely to be implemented.</p> <p>The Flooding Sequential Test has not yet been approved and represents a significant potential delay in the development. There are outstanding issues related to flood, drainage and restoration of a watercourse.</p> <p>The previous application (3/17/2588 OUT) had numerous attempts to resolve the issue to gain approval for surface water drainage discharge (conditions 15, 42, 43). For example X21/0531 COND, X/21/0286/CND, X21/00030/CND have all been refused. This resulted in only these conditions being approved for phase 2 and 3.</p> <p>The new hybrid application has yet to be determined.</p>	<p>Revised scheme is being updated to address drainage requirements following culverting of part of the on-site Ordinary Watercourse. The LLFA has approved the updated baseline modelling of the site and the applicant remains committed to submit revised sustainable drainage proposals.</p> <p>The LPA acknowledges the delay to the current submission but considers the drainage work to de-risk the proposals in anticipation of reserved matters submissions following.</p> <p>The LPA, HCC and Applicant are working towards producing a draft s106 agreement which will be published in advance of the planning committee, when the application is scheduled to be presented at.</p> <p>The developer's previous track record indicates a firm commitment to deliver the remaining parcels and the LPA has engaged with individual parties looking to bring forward remaining parcels.</p> <p>The additional homes remains in the council's view deliverable and the emerging work on the current submission with evidence of discussion with parties advancing reserved</p>

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			Council	Appellant	Difference	Council	Appellant	Difference			
											matters is clear in demonstrating the site is deliverable within 5 years and that further progress has been made since 2023 when this site was accepted by the Inspector in the 2023 Appeal.
BISH8	The Causeway	150	150	0	-150	150	0	-150	Detail set out in proforma with Housing Position Statement (March 2024).	<p>There is no pending application for the delivery of this site.</p> <p>The lack of detail regarding the signing of agreement resolving landownership and contractual positions is required to secure delivery.</p> <p>Given the lack of a contractual position and the delay in funding for elements of the scheme, together with the lack of further progress on the resubmission of an application means that there is not clear evidence of delivery in the next five years.</p> <p>The council claim the delivery of this site was considered by the inspector in their decision on the Wheapstead appeal (CD17.11) but this does not appear to be the case.</p>	<p>Update to Housing Position Statement from EH (Landowner) suggests that there has been a delay in signing the Development Agreement and so the revised application will come forward circa 6 months-12 months later than anticipated.</p> <p>LPA agrees that 150 homes will now come forward in 2027/28 which is a year later than the 5YHS.</p> <p>The LPA understands the DA will be concluded in summer 2024 with a masterplan and planning application being prepared later in the year.</p> <p>The evidence suggests a delay but the Proforma considers the site deliverable within a 5 year period which was accepted under the 2023 Appeal whereby the Council was found to have less than 5 years supply.</p>
	North-West Buntingford	58	58	0	-58	58	0	-58	Applicant confirms reserved matters to be submitted by the end of 2024.	The application 3/22/1030/OUT was granted permission on 19 Mar 2024 there is no RM pending.	

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									<p>Applicant has confirmed they are in the process of selecting a party to deliver the site.</p> <p>No additional major infrastructure proposed as part of this development.</p> <p>Development subject to approved masterplan and outline planning permission with Redrow development adjacent nearing completion.</p> <p>Site is easily deliverable within 5 years with no major impediment to its delivery.</p>	<p>The promoter who gained the outline states in the proforma response that they have yet to engage a housebuilder to deliver the project (Response to Q2 and Q5 page 26 of 5 Year Land Supply Position Statement).</p> <p>The statement that the promoter is searching for a housebuilder to deliver the site falls short of clear evidence of the delivery of the dwellings permitted in this outline application.</p>	<p>The promoter has subsequently confirmed that they have engaged with multiple housebuilders and will be looking to submit reserved matters in 2024 with a view to starting on site in 2025. This provides up to date clear evidence that the applicant intends to implement this development and that the site is deliverable within 5 years.</p>
HERT3	West of Hertford (North)	342	200	0	-200	300	0	-300	<p>No change from January Proforma position. L&R aiming to complete s106 for outline application asap. Scale and Access to be approved as part of the outline application. Remaining reserved matters to be submitted following completion to s106 agreement.</p> <p>Further work on drainage and highways being carried out by developer/applicant.</p> <p>RP on board to deliver affordable homes.</p> <p>Proposals in accord with adopted masterplan.</p>	<p>The outline application for 342 dwellings was approved subject to a s106 at committee on 10th April 2024 with recommendation to approve.</p> <p>The S106 has not yet finalised.</p> <p>The lead in time of 3 years from 2023 is too optimistic as the 106 has not yet been signed. Start to Finish would suggest 3.2 years from obtaining planning (Figure 3.1 page 8).</p> <p>There is an objection form the promoters of Panshanger Park (Tarmac) raising the issue of</p>	

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									Through the resolution to grant permission, agreeing an affordable housing provision and s106 mitigation package and with the written intentions of the applicant, the LPA can demonstrate clear evidence of progress of this site allocation since the 2023 Appeal. In addition, taking a pragmatic and cautious approach to delivery within the 5 years, the LPA consider we have addressed the shortcomings of the evidence from the 2023 Appeal whereby the Inspector elected to deduct the housing from the 5YHS..	contributions towards the Park. At present planning has not been obtained as it is depending on the signing of the s106. Both the council and the promoter have a record of being optimistic regarding the delivery of this site. This is not clear evidence of delivery.	The 5YHS position statement proposes a pragmatic approach and an under estimate of delivery of this site. There are no longer viability issues and the s106 remains substantially agreed between the parties. The LPA considers taking a more cautious approach to delivery is reasonable and therefore, in addition to the commentary from this applicant there remains clear evidence of delivery within 5 years of 200 homes.
HERT4	North of Hertford (North)	118	118	0	-118	118	0	-118	Full application due to be presented to committee in July 2024. Proposals in accordance with approved masterplan for the site allocation. Site no longer affected by potential minerals extraction on sites to the north. Applicant has updated delivery programme noting intention to start in 2025 and complete within 5 years by 2027/28.	There is no evidence to justify the inclusion of this site at the start of the assessment period at that time 1st April 2023. The proforma is date over a year after the start of the 5 year period. At present undetermined application and outstanding objections. Not clear evidence of delivery.	In addition to the March 2024 Proforma and updated note from the developer in June 2024, the District Plan site allocation, the adopted masterplan, the submission of the application and revised documents, the heads of terms (as set out in the revised cover letter related to the application) and committee report provide clear and robust evidence that the objections have been overcome and that the development remains on track for implementation in line with the time line confirmed by the applicant.
WARE2	Land North and East of Ware	1800	75	0	-75	150	0	-150	Proforma to be updated but March 2024 proforma proposes greater delivery of housing than what EHDC has included in the Housing Supply in the March 2024.	The application 3/22/2406/FUL is actually a Hybrid planning application, comprising of Outline approval for a residential-led mixed-use development for	The LPA will provide an update in advance of the Inquiry on this site.

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			Council	Appellant	Difference	Council	Appellant	Difference			
									<p>EHDC considers the Position Statement to be an underestimate of the delivery of homes, but it factors in delays to the process which is pragmatic in this case.</p> <p>Through the securing of revisions to the hybrid application, the LPA can demonstrate clear evidence of progress of this site allocation since the 2023 Appeal. In addition, taking a pragmatic and cautious approach to delivery within the 5 years, the LPA consider we have addressed the shortcomings of the evidence from the 2023 Appeal whereby the Inspector elected to deduct the housing from the 5YHS...</p>	<p>up to 1,800 dwellings and full planning approval for internal highways works relating to the construction of Stages 1a and 1b of the Sustainable Transport Corridor, linking the A10/A1170 to the B1004.</p> <p>This has not been determined and does not seek full permission for the proposed dwellings.</p> <p>There is a requirement for additional ecological evidence and flood evidence.</p> <p>There is a requirement from Highways for a "great deal" of further work.</p> <p>The council have a track record of being over optimistic on the delivery of this site.</p> <p>"Start to finish" Fig 3.1 suggests that an average time period from validation of application to first completions on a site of this size would be 6.6 years. This application was not validated until Jan 2023 according to this timescale would not deliver completions until June 2029 which is beyond both 5 year</p>	

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									<p>periods being considered in this report</p> <p>This is not clear evidence of delivery.</p> <p>The proforma is dated over a year after the start of the plan period (2024).</p> <p>The fact that the council can not present evidence at present highlights how the evidence was not available at the time of the original assessment and that this site should be removed on that basis. If the “new” evidence demonstrates clear evidence of delivery then this is something to be considered in the next 5 Year Land Supply Position Statement</p>		
GA1	The Gilston Area	5550	100	0	-100	200	0	-200	<p>Updated information provided following March 2024 Proforma Draft s106 week to be published commencing 24th June.</p> <p>Based on what we have been sent for Village 7 the Applicant’s programme is earlier than what EHDC put into the 5YHLS statement. EHDC pushed back delivery by a whole year for the statement to be prudent. This accounts for further delay.</p> <p>The intention is that the decision notice will be issued by the end of July - 8 weeks.</p>	<p>The Outline Application 3/19/1045/OUT is for up to 8,500 dwellings and is still awaiting decision.</p> <p>The timescale for the s106 has not been met.</p> <p>The developers describe their role as the Master Developer, responsible for the delivery of all strategic infrastructure and s106 obligations to deliver serviced land parcels.</p>	<p>The council resolved to grant in February 2023 subject to completion of the s106</p> <p>There was no official timescale for the s106 but it is intended that the decision notice will be issued at end July.</p> <p>PfP are themselves a registered provider and have reserved the right to bring forward parcels themselves.</p> <p>This point has no relevance to the ability to deliver housing</p>

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									<p>Through the resolution to grant permission, agreeing an affordable housing provision and s106 mitigation package and with the written intentions of the applicant (PfP), the LPA can demonstrate clear evidence of major progress of this site allocation since the 2023 Appeal. In addition, taking a pragmatic and cautious approach to delivery within the 5 years, the LPA consider we have addressed the shortcomings of the evidence from the 2023 Appeal whereby the Inspector elected to deduct the housing from the 5YHS...</p>	<p>As such no delivery partners have been identified yet.</p> <p>Land assembly is required for the Central Stort Crossing and Eastern Stort Crossing. This appears to require compulsory purchase powers to acquire this from unwilling landowners.</p> <p>While the land ownership may not be required to deliver the housing in the first five years no evidence has been provided to that effect. Furthermore, the issuing of the planning permission will trigger element of the purchase of the site and developers are unlikely to wish to trigger these clauses without the knowledge that the development can be delivered in full including the likely cost of any additional land acquisition.</p> <p>The delivery in the Council's Five Year Land Supply Position Statement is simply based upon the assertions of Places for People that the proposed lead in time and delivery rates are appropriate. No evidence has been supplied to support these assertions.</p>	<p>within the first five years of the development. All land required to complete the first phase of infrastructure for the Central Stort Crossing is in the applicant's land ownership already and for the second phase of the CSC agreements are in place with Harlow Council and the Highways Authority. No CPO is required for the Central Stort Crossing, which is required to be delivered by 1,500 homes. Enabling works have been progressed and final technical approvals required under the Highways Act are already making good progress. Furthermore, contracts and funding are in place through the Housing Investment Grant, overseen by Homes England and Hertfordshire County Council. The area of the Eastern Stort Crossing to which any CPO would apply is not required to be delivered until the end of or even beyond the five year period as the ESC is required to be delivered by 3,250 homes. The authorities have confirmed the willingness to undertake the compulsory purchase of land required to deliver the Eastern Stort Crossing, however, at this current time it is not anticipated</p>

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									<p>The Council and the Landowner have a record of being over optimistic regarding the delivery of this site.</p> <p>This is a large complex site with viability challenges (it is not delivering policy compliant affordable housing) and there are outstanding issues yet to be resolved.</p> <p>The time taken from the granting of outline to first completion is nearly 4 years (CD17.20 fig 3.2 page 9) so even if the outline was granted now completions would be outside of the councils timescale.</p> <p>There has been no correspondence placed on the planning portal since October 2023.</p> <p>This is not clear evidence of delivery.</p>	<p>The Council and the Landowner have a record of being over optimistic regarding the delivery of this site.</p> <p>The LPAs, CCs and Applicant is working on a full programme for the delivery of first RMAs. The appellant has not provided evidence to demonstrate delivery timeframes are not achievable.</p> <p>The assumptions in the District Plan planned for approximately 3,000 dwellings across the site as a whole by 2033. This remains on track with just under 3,000 by 2033.</p> <p>The LPA acknowledges the site is complex but the viability and housing and all other issues on the planning application have been resolved with permission due to be issued imminently.</p> <p>With a large complex site there is always long lead in times but while the decision notices are not yet issued there has been considerable progress on technical design matters and preparation of RMAs so that they are able to be submitted immediately following the decision notices, in accordance with the agreed project delivery programme that the Councils</p>	<p>that this will be required and in any case does not prevent the commencement of housing delivery.</p>

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											and Applicant are signed up to in the PPA which has been entered into by the relevant parties..
GA1	Gilston Village 7 Land Off Church Lane	1500	50	0	-50	100	0	-100	<p>Updated information provided following March 2024 Proforma Draft s106 week to be published commencing 24th June. Based on what we have been sent for Village 7 by Taylor Wimpey the Applicant's programme is earlier than what EHDC put into the 5YHLS statement. EHDC pushed back delivery by a whole year for the statement to be prudent. This accounts for further delay.</p> <p>The intention is that the decision notice will be issued by the end of July - 8 weeks.</p> <p>Taylor Wimpey on board to deliver the site.</p> <p>Through the resolution to grant permission, agreeing an affordable housing provision and s106 mitigation package and with the written intentions of the applicant (Taylor Wimpey), the LPA can demonstrate clear evidence of progress of this site allocation since the 2023 Appeal. In addition, taking a pragmatic and cautious approach to delivery within the 5 years, the LPA consider we have addressed the shortcomings of the evidence from the 2023 Appeal.</p>	<p>The Outline Application 3/19/2124/OUT for up to 1,500 dwellings on part of this allocation is still awaiting decision.</p> <p>The original objection from Essex County Highways highlights the complexity of this site in terms of securing cross boundary agreement.</p> <p>The Environment Agency are seeking see an increased resilience against changes in surface runoff quality and quantity. They also outline the need for foul drainage upgrades.</p> <p>At present there is no consent on this site.</p> <p>The Council provide no clear evidence that this part of the site will deliver completions in the five year period.</p> <p>The time taken from the granting of outline to first completion is nearly 4 years (CD17.20 fig 3.2 page 9) so even if the outline was granted now completions would be outside of the Council's timescale.</p>	<p>The council resolved to grant in March 2023 subject to completion of the s106.</p> <p>The LPA does not acknowledge any outstanding objection from Essex County Council. In any case, this is immaterial now as a resolution to grant permission has been granted.</p> <p>The LPA confirms that there are no objections from the EA – normal mitigation is being sought and is planned for through a detailed drainage strategy through conditions. Officers confirm that engagement with LLFA is on-going with no outstanding objections.</p> <p>There was no official timescale for the s106 but it is intended that the decision notice will be issued at end July</p> <p>The TW trajectory provided in their response to the 5YHLS questionnaire had delivery of homes during 2025. The LPA pushed this back to 2026. As with V1-6 we have a very detailed programme for delivery</p>

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											<p>of V7 and have been engaging on the scopes of first infrastructure and residential RMAs so they are ready for submission as soon as masterplans are approved.</p> <p>This was included as a site allocation as a whole, though the 5YHLS statement included the submissions from both applicants.</p> <p>This site has been subject to a PPA between EHDC, HCC and Taylor Wimpey.</p>
EWEL1	Land East of Welwyn GC	1350	125	0	-125	200	0	-200	<p>Updated Position June 2024 (as confirmed by Applicant)</p> <p>2024/25:</p> <ul style="list-style-type: none"> o Preparation and submission of formal amendments to planning application o Resolution of outstanding issues with statutory consultees <p>2025/26:</p> <ul style="list-style-type: none"> o Resolution to grant Outline planning permission o Finalisation of s106 Agreement o Formal grant of Outline permission o Discharge of conditions precedent o Submission of Reserved Matters 	<p>Outline planning application (3/22/1315/OUT) is for 2,650 dwellings an encompasses land within both East Hertfordshire and Welwyn and Hatfield Council areas.</p> <p>The promoters Tarmac in their response to the Council in the Position Statement acknowledge that circa 162,000 tonnes of sands and gravels is required to be extracted from part of the site and that they will need to market the site to housebuilders. Neither of these events have yet occurred.</p> <p>There remain unresolved objections from statutory consultees relating to the</p>	<p>The applicant has confirmed the extraction will occur in part of the site (to the far north) which will not prohibit commencement of the residential parts of the site.</p> <p>Marketing of the site is not required at this stage in the planning process and does not necessarily provide evidence, alone, of delivery.</p> <p>The applicant has set out a realistic project timeframe</p>

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									<ul style="list-style-type: none"> o Commencement of prior mineral extraction o Commencement of first phase of development <p>2026/27</p> <ul style="list-style-type: none"> o Approval of Reserved Matters o Completion of prior mineral extraction o Completion of the initial 50 residential units (and thereafter as currently projected by EHDC) <p>Sands and Gravel extraction in a part of the site which will not affect the delivery of housing.</p>	<p>existing landfill on site from the Environment Agency (27/10/23) and from the Lead Flood Authority (9/11/23).</p> <p>The average time between validation and first delivery on sites above 2,000 dwellings (Start to Finish) is 6.7 years so in this case validation was June 2022 and the average timescale would place completions outside of the Council's five year time frame.</p> <p>The time taken from the granting of outline to first completion is nearly 4 years (CD17.20 fig 3.2 page 9) so even if the outline was granted now completions would be outside of the Council's timescale.</p> <p>This is not clear evidence of delivery.</p>	<p>whereby the outstanding consultee issues will be addressed and has agreed to update the PPA with an agreed set of milestones. The LLFA are engaged in the process of agreeing the site wide drainage strategy as are the County Council on the detailed infrastructure provisions.</p> <p>Good progress has been made following the 2023 Appeal decision and the key issue relating to the local plan allocation in the adjoining council has been overcome with the applicant planning a resubmission in 2024 which aligns with both local plan site allocations. The applicant has confirmed that no part of the housing development will take place in the Green Belt and will instead align with the local plan allocation proposals map.</p>
WAS3	Walkern Road	60	60	0	-60	60	60	0	<p>Full Application submitted and due for planning committee in June 2024. S106 draft has commenced.</p> <p>Neighbourhood Plan Allocation in Watton-at-Stone Neighbourhood Plan (adopted December 2023) Approved Masterplan has been adopted.</p> <p>Fairview has confirmed updated delivery/construction dates</p>	<p>The application (3/23/2108/FUL) for 60 dwellings was submitted on 03/11/2023 considerably after the start of the assessment period and should be excluded on these grounds.</p> <p>This is not clear evidence of delivery.</p>	<p>This application will be determined at the Development Management Committee 19th June - (recommendation approval) as per the published agenda.</p>

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									demonstrating delivery within 5 years. No reason why it cannot be included in 5YHS.		



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