

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

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**

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

**LPA REFERENCE: 3/23/1447/OUT**

**PROOF OF EVIDENCE OF ROLAND BOLTON  
ON FIVE YEAR LAND SUPPLY  
IN EAST HERTS DISTRICT COUNCIL**

**Strategic Planning Research Unit  
DLP Planning Ltd  
Sheffield**

**JUNE 2024**



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## **0.0 EXECUTIVE SUMMARY**

- 0.1 My evidence critically examines the East Herts 5YHLSPS March 2024 in the context of the December 2023 NPPF and considers the impact of both new planning permissions and completions in the period between 1<sup>st</sup> April 2023 and 31<sup>st</sup> March 2024.
- 0.2 Paragraph 226 of the NPPF states that in situations where a Council has published a Regulation 18 Plan which includes both a policies map and proposed allocations towards meeting housing need then for a two-year period from the publication of the NPPF such authorities will only need to demonstrate a 4-year rather than a 5-year supply of housing land. This does not apply in this instance.
- 0.3 This report considers both the historic five year land supply position from last year (the period 2022/23 to 2027/28) and this year's position (2023/24 to 2028/29) and while the Council claim in their Five Year Housing Land Position Statement (March 2024) that they have over a five year land supply from last year our analysis properly applying the test of delivery in the National Planning Policy Framework suggest that there is only a **3.7 and 4.0 years supply**.
- 0.4 The differences are due to sites being deleted from the supply because of the lack of evidence to support significantly enhanced completion rates, the clear over optimism in terms of lead in times for the Council's Category A sites, as well as dwellings being incorrectly defined as within category A and a lack of clear evidence for many of the Category B sites.
- 0.5 Extending the assessment into the current year suggest that the position will worsen and the land supply will be reducing to just **3.4 years**.

## **1.0 EXPERIENCE**

- 1.1 My name is Roland George Bolton. I have an Honours Degree in Town and Regional Planning and I am a Member of the Royal Town Planning Institute (MRTPI). I am currently a Senior Director of DLP Planning Ltd (DLP) and Head of the Strategic Planning Research Unit (SPRU) which specialises in undertaking bespoke planning research projects, including Objective Assessments of Housing Need and Five-Year Housing Land Supply assessments. DLP Planning Ltd is a national planning consultancy, and I am based in the Sheffield office, working across the whole of England. I have worked in public sector, private practice, and academic roles for over 40 years.
- 1.2 I have a wide range of experience and have held senior positions in both Development Management and development plans in local government. I have also represented Councils at both Public Inquiries and Plan Examinations.
- 1.3 As Senior Lecturer in Town Planning at Sheffield Hallam University I provided training for practicing planning professionals including training for Staff for inquiries and examinations. During this time, I also acted as a consultant to the current DLP/SPRU practice, providing advice to clients in both the public and private sector on a range of issues including the promotion and delivery of housing at various development plan examinations.
- 1.4 I have been a Director of DLP for 27 years, setting up the Sheffield office in 1996. During this time, I have advised clients on a wide range of residential developments from the planned expansions of Northampton, Milton Keynes, Luton and York, through to urban projects like Sheffield University Student Village (3,500 student bed spaces) and Commercial projects such as Midway Park (40-hectare Strategic Employment Allocation at Junction 16 of the M1).
- 1.5 In 2012, I formed the Strategic Planning Research Unit (SPRU) within DLP to bring together the company's expertise to deliver the strategic planning work for a wide range of clients including local authorities, other public sector bodies, landowners, strategic land promoters as well as national, regional and local housebuilders.
- 1.6 I have had considerable experience of giving evidence as an expert witness at Public Inquiries and attending Local Plan Examinations including inquiries and examinations in Hertfordshire.
- 1.7 I attended the East Herts Local Plan Examination (Representor Number 1052305) on Matters 1 2 (Housing) and 5 (Green Belt).

1.8 The scope of this Proof of Evidence is as follows:

- a) Experience
- b) National Policy
- c) Local Policy Position
- d) The Local housing Need
- e) Previous Appeals
- f) The use of the updated affordability ratio
- g) Assessment of the position of individual sites at 1st April 2023 and 1st April 2024
- h) Conclusion on the five-year housing land supply position in East Herts for the period 20023/24 to 2027/28
- i) Conclusion on the five-year housing land supply position in East Herts for the period 20024/25 to 2028/29

1.9 The evidence I have prepared and provided for this appeal (APP/J1915/W/24/3340497) has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

## 2.0 INTRODUCTION

2.1 East Herts most recent assessment of its Five-Year Housing Land Supply (CD5.3) is already a year out of date as the start of the period is 1<sup>st</sup> April 2023. This is out of date as the Council are required to produce these statements annually<sup>1</sup> and the failure to do so results in the policies which are most important for determining the application are out-of-date and planning permission should be granted<sup>2</sup> unless:

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

2.2 While the failure to produce a Five-Year Housing Land Supply in a timely manner renders the most important policies out of date, this assessment of the position is submitted to demonstrate that despite what is claimed there is actually a substitutional level of under supply. It aims to furnish current, pertinent data crucial for effective planning and addressing what we consider is a persistent housing deficit prevalent within East Herts.

2.3 This assessment critically evaluates both the available land supply, as set out in the Council's report but also updates this to 1<sup>st</sup> April 2024 to provide an up to date Five-Year Housing Land Supply position.

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<sup>1</sup> NPPF Paragraph 74

<sup>2</sup> NPPF paragraph 11

### **3.0 NATIONAL POLICY: PLANNING FOR HOUSING**

#### **a) Introduction**

- 3.1 There are widespread housing affordability issues facing Great Britain at present with more than three million households in the UK now spending more than a third of their household income on housing<sup>3</sup>. The unresponsive nature of the planning system and failure of house building to keep up has led to a widening gap between supply and demand.
- 3.2 The consequences of this under provision are well documented in terms of increased issues of affordability that have occurred over the last decade. In the period between 1997 and 2023 the affordability ratio increased on average in the UK from just 3.54 times annual income to 8.26 times annual income despite the impact of recent recessions<sup>4</sup>.
- 3.3 Such housing affordability issues manifest in many ways, such as: increased levels of overcrowding, more young people living with parents for longer, impaired labour mobility meaning it is difficult for businesses to recruit and retain staff, and increased levels of homelessness.
- 3.4 As such, the Conservative Government elected in 2017, pledged to meet the 2015 commitment of delivering 1 million homes by the end of 2020 and the Autumn Budget 2017 set out an ambition to “to put England on track to deliver 300,000 new homes a year” with the aim of addressing these issues of affordability. The ambition of 300,000 a year is most recently restated in the consultation on the “Changes to the current planning system” (paragraph 6).
- 3.5 In the forward to the 2020 White Paper “Planning for the future” the then Prime Minister sums up the failures of the present situation as follows:
- “Thanks to our planning system, we have nowhere near enough homes in the right places. People cannot afford to move to where their talents can be matched with opportunity. Businesses cannot afford to grow and create jobs. The whole thing is beginning to crumble and the time has come to do what too many have for too long lacked the courage to do – tear it down and start again.”*
- 3.6 While the “Planning for the Future” sets out plans to undertake a fundamental reform of the planning system, the government considers the situation to be so important that they are also proposing the shorter-term measures in the “Changes to the current planning system”. Within this is the now enacted proposal to amend the Standard Method (for calculating the local

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<sup>3</sup> Resolution Foundation 2023

<sup>4</sup> ONS



housing requirement) to be utilised prior to the more fundamental changes being brought forward (Planning for the Future paragraph 5).

- 3.7 Highlighting the problem with the current system the consultation states that against the government's aspirations to create a system that will deliver 300,000 dpa existing adopted Local Plans have only allocated enough land to provide for 187,000 homes a year, which is lower than the actual rate of delivery 241,000. (Planning for the Future Paragraph 6). The consultation states that:

*"However, identifying sufficient land so that the market is not prevented from delivering the homes that are needed is vitally important to prevent the under-delivery of the past from continuing to happen".*

- 3.8 It is noted that in the Government response to the local housing need proposals in "Changes to the current planning system" on the 16th December 2020, which introduces the New Standard Method, the Government in the paragraph titled "Rationale for cities and urban centres uplift" state:

*"The Government is also keen to ensure that all areas plan for the right, size, type and tenure of homes, and in particular to ensure that appropriate numbers of family homes come forward, and would encourage these all places, but particular the urban centres, to consider carefully how they deliver the right mix for their communities. Getting this mix right will maximise the beneficial impact that the delivery of more homes can bring."*

- 3.9 These changes highlight the urgency and importance the Government is placing on increasing the delivery of homes to react to the housing crisis. It also emphasises the need for the right type of homes and for family homes in the right places.

- 3.10 Shelter's recent Briefing Note (Social Housing & England's Housebuilding Recovery page 1) states that this emergency has not developed overnight but is the result of four decades of failure to invest properly in the required number of social homes. It highlights the consequences of this failure are clear in that even before the COVID-19 pandemic, the reality of the situation was that:

- a) Just over 280,000 people in England were homeless on any given night in 2019, including over 236,000 people living in temporary accommodation – a statistic that includes more than 125,000 children.
- b) Home ownership is in decline, with the English Housing Survey showing that 64% of households owned their own homes in 2018/19, down from 68% a decade ago. At the same time, the average cost of a home in England has increased to eight times the annual pay packet and the average share of income that a young family spends on housing has trebled over the past 50 years.
- c) Private renters now spend an average of 40% of their household income on rent, with such high costs making the chance to save and move into homeownership a pipe dream for many. In fact, almost two-thirds (63%) of private renters have no savings at

all.

- 3.11 The note goes on to report that social housing, unlike private market housebuilding, is counter cyclical and the demand for the product does not decrease when times are rough in the economy and that the demand for affordable housing and social housing is extremely high.
- 3.12 In respect of meeting this demand, Shelter's Briefing Note (Social Housing & England's Housebuilding Recovery) refers to Savills's projection that the supply of new social rented homes in the 2020's will increase to 64,300 but that this is against a need of at least 90,000 social homes per year (page 4).
- 3.13 The note also refers to the loss of 17,000 social homes (net figures) in England last year.

**b) National Planning Policy Framework and Guidance**

- 3.14 The 2023 National Planning Policy Framework (the Framework) was updated in December 2023 and came into force with immediate effect. The Standard Method remains the approach for calculating the Local Housing Need (LHN) although the most recent NPPF makes it clear that this is the advisory starting-point for establishing a housing requirement for the area and that the Council may choose to demonstrate exceptional circumstances which justify an alternative approach to assessing housing need (NPPF Paragraph 61)

**c) Transition arrangements**

- 3.15 There are transitional arrangements in the December NPPF 2023 and paragraph 226 states that in situations where the Council have published a Regulation 18 Plan which includes both a policies map and proposed allocations towards meeting housing need then for a two-year period from the publication of the NPPF such authorities will only need to demonstrate a 4 year rather than a 5 years supply of housing land.
- 3.16 As above this does not apply to East Herts.

**i) Housing Need**

- 3.17 Paragraph 8 of the Framework sets out in paragraph b) the Government's social objective is to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations. It is noted that paragraph 9 states that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework, but they are not criteria against which every decision can or should be judged.
- 3.18 Chapter 5 of the Framework covers the delivery of a sufficient supply of homes.

- 3.19 Paragraph 60 states that to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed.
- 3.20 Paragraph 77 states that where paragraph 75 does not apply (i.e. where a plan is over 5 years old) then local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years’ worth of housing, or a minimum of four years’ worth of housing if the provisions in paragraph 226 apply. The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old. Where there has been significant under delivery of housing over the previous three years, the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the plan period).

**ii) The Buffer**

- 3.21 The buffer in paragraph 77 is determined by the latest Housing Delivery Test (HDT), as explained in paragraph 79 of the Framework. The most recent is the 2022 HDT (published in December 2023) and should be used to determine the appropriate buffer.

**iii) The Definition of ‘Deliverable’**

- 3.22 It is important to note, that in the context of assessing what constitutes a “deliverable” site, the 2023 Framework defines “deliverable” in the Glossary as follows (page 69) (emphasis added):

*“To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

*a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*

*b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”*

- 3.23 NPPG Paragraph 007 (Ref ID: 68-007-20190722) states that:

*“In order to demonstrate 5 years’ worth of deliverable housing sites, robust, up to date evidence needs to be available to support the preparation of strategic policies and planning*

*decisions.”*

3.24 The onus is therefore placed on the Council to provide clear evidence for including those sites which fall within part b) of the glossary on page 69, rather than for interested parties to establish whether clear evidence exists.

3.25 Paragraph 007 (Ref ID: 68-007-20190722) states that clear evidence needed to demonstrate that housing completions will begin on site within five years includes:

*“current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;*

*firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers’ delivery intentions and anticipated start and build-out rates;*

*firm progress with site assessment work; or*

*clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.”*

3.26 In some circumstances, Councils rely upon rates of delivery based on the response of promoters and developers. This is an issue that has been considered in both the Land at Caddywell Lane appeal (CD17.2 W1145/W/19/3238460 paragraphs 56 and 57) and Sonning Common appeal (CD17.3 APP/Q3115/W/20/3265861) it was highlighted that technical, legal and commercial aspects of delivery need to be assessed.

3.27 In paragraphs 20 and 21 of the Sonning Common appeal decision (CD17.3) the Inspector states:

*“I have also had regard to the PPG advice published on 22 July 2019 on ‘Housing supply and delivery’ including the section that provides guidance on ‘What constitutes a ‘deliverable’ housing site in the context of plan-making and decision-taking.’ The PPG is clear on what is required:*

*“In order to demonstrate 5 years’ worth of deliverable housing sites, robust, up to date evidence needs to be available to support the preparation of strategic policies and planning decisions.”*

*This advice indicates to me the expectation that ‘clear evidence’ must be something cogent, as opposed to simply mere assertions. There must be strong evidence that a given site will deliver housing in the timescale and in the numbers contended by the party concerned.*

*Clear evidence requires more than just being informed by landowners, agents or developers that sites will come forward, rather, that a realistic assessment of the factors concerning the delivery has been considered. This means not only are there planning*

*matters that need to be considered but also the technical, legal and commercial/financial aspects of delivery assessed. Securing an email or completed pro-forma from a developer or agent does not in itself constitute 'clear evidence'. Developers are financially incentivised to reduce competition (supply) and this can be achieved by optimistically forecasting delivery of housing from their own site and consequentially remove the need for other sites to come forward."*

- 3.28 In the Land at Caddywell Lane/Burwood Lane Torrington, Devon appeal (CD17.2 APP/W1145/W/19/3238460), paragraph 56 of the Inspector's decision commenting on what is required by the PPG (22 July 2019) states it is clear that:

*"This indicates the expectation that 'clear evidence' must be something cogent, as opposed to simply mere assertions. There must be strong evidence that a given site will in reality deliver housing in the timescale and in the numbers contended by the party concerned."*

- 3.29 In the Land off Popes Lane, Sturry, Kent appeal (CD17.4 APP/J2210/W/18/3216104) the Inspector stated in paragraph 23 of their decision that:

*"Without any further detail, as to the means by which infrastructure requirements or other likely obstacles are to be overcome, and the timescales involved, this type of SCG does not seem to me to demonstrate that the development prospect is realistic. In addition, most of the site-specific SCGs are undated, thus leaving some uncertainty as to whether they represent the most up-to-date position."*

- 3.30 The Land to the south of Cox Green Road Rudgwick, Surrey appeal (CD17.5 APP/R3650/W/19/3227970) addresses the issue of land supply in paragraphs 10 to 27 of the Inspector's report. In respect of relying on a proforma for Dunsfold Park the Inspector states:

*"The Council's assumptions rest principally on a pro-forma return from the site's lead developer, but the details contained in that document are scant. Although estimated numbers and dates are presented, there is no explanation of how the timing is to be achieved. There is no indication of the intended timescales for submitting and approving reserved matters, including any further public consultation. Neither is there any breakdown of the advance works that are likely to be needed on-site, for discharging conditions, site preparation, and installing infrastructure. On a development of this scale, the planning and programming of these stages is likely to be more complex than on smaller sites, but the evidence contains none of these important details. There is therefore no evidence that house completions can realistically be achieved by 2021/22."*

- 3.31 Clearly the latest policy and guidance changes make it clear a robust evidence-based approach should be taken. It is a matter of judgment, applying the requirement for "clear evidence" but regard should be had to the above appeal decisions and clear position taken by each of the respective Inspector's in regard to meeting the definition of deliverable.

**iv) The base date for assessment of 5-year land supply.**

- 3.32 Paragraph 77 of the Framework specifies that Local Planning authorities should identify, and update annually, a supply of specific deliverable sites sufficient to provide for a minimum of



five years' worth of housing against their housing requirements set out in adopted strategic policies.

- 3.33 The NPPG (001 Reference ID: 68-001-20190722) requires the calculation of deliverable supply of homes to meet the planned housing requirement over the next five years.
- 3.34 The NPPG states that the purpose of the five-year housing land supply is to provide an indication of whether there are sufficient sites available to meet the housing requirement set out in adopted strategic policies for the next five years (003 Reference ID: 68-003-20190722).
- 3.35 Paragraph 68-004 requires that for decision-taking purposes, an authority will need to be able to demonstrate a five year housing land supply when dealing with applications and appeals and that they can do this in one of two ways either by confirming the position as per paragraph 75 of the Framework or by using the latest available evidence such as a Strategic Housing Land Availability Assessment, Housing and Economic Land Availability Assessment (HELAA), or an Authority Monitoring Report.
- 3.36 NPPG Paragraph 68-007 advises the use of up-to-date evidence.
- 3.37 In this case the most up-to-date evidence is the East Herts 5YHLSPS March 2024 (CD5,4) which provides the position as it was over a year ago as at 1<sup>st</sup> April 2023.

**d) Summary**

- 3.38 In summary, in assessing whether the Council is able to demonstrate a five-year supply of housing land, the key principles are:
- a) For the purposes of calculating a five-year land supply, the housing requirement is set out in the East Herts District Plan which was adopted over five years ago and therefore the Standard Method is to be used to calculate the Local Housing Need.
  - b) The buffer is determined by the HDT (Paragraph 79 of the Framework). In this case there is no additional buffer to be added to the requirement.
  - c) Sites that can go in the supply are (a) sites with detailed planning permission unless there is clear evidence they will not deliver (these are referred to as Category A sites), and (b) sites with outline planning permission, allocations in a development plan, sites with permission in principle or identified on a brownfield register (these are referred to as Category B sites). Of these, the Framework requires sites with outline planning permission, permission in principle and brownfield register sites to have clear evidence provided by the Council that completions will begin in five years in order to be included in the five-year land supply. These sites have to be available "now" and offer a suitable location for development "now".
  - d) Clear evidence of delivery of Category B sites must be something cogent, as opposed to simply mere assertions.

## **4.0 EAST HERTS DISTRICT PLAN 2018**

### **a) Extant Local Plan**

- 4.1 The East Herts District Plan 2018 was adopted on the 23 October 2018 and forms the Development Plan alongside the Minerals and Waste Local Plans for Hertfordshire and adopted Neighbourhood Plans.
- 4.2 While the District Plan set out an ambitious strategy for development in East Herts, including substantial housing growth through a number of site allocations these have failed to come forward as originally anticipated.
- 4.3 The Plan is now over five years old and this has consequences for the housing requirement in that the calculation of the 5 year supply is to be based upon the Local Need as calculated by the Standard Method.

### **b) Local Development Scheme (LDS)**

- 4.4 As the Plan is now over five years old it has been reviewed by the council and found to be in need of updating as the policies in the plan are out of date (CD17.6 Meeting of the Executive: Tuesday 3 October 2023 Council Report paragraph 3.46 page 22). This is likely to be a full review because of the implications of meeting the new higher housing requirement (CD17.6 Paragraph 3.47) and require a call for additional sites (CD17.6 paragraph 3.40 page 20).
- 4.5 The Local Development Scheme (LDS) sets out the timetable for the preparation of planning policy documents which shape the future of the District.
- 4.6 The last LDS was agreed in July 2020 and is now out of date, but the Council have yet to publish an update.
- 4.7 The Council state on their web site that work on the next plan will commence at the end of 2024 under the new planning system (CD17.7).
- 4.8 It is understood that work has commenced on updating the technical studies to provide an evidence base to inform an update of the District Plan.
- 4.9 No further commentary on this underway work has been provided. The Council's contract register dated 31st March 2024 confirms that only Prior & Partners have been appointed on 5th March 2024 for the East Herts Strategic Visioning work to guide and directly inform plan-making, including the District Plan update, underpinning future planning across East Herts.

**c) Housing Delivery**

- 4.10 The Annual Monitoring Report (2022/23) confirms that a total number of 8,131 dwellings have been built since the start of the plan period and in the monitoring year a total number of 886 dwellings were completed (CD17.8). The table below compares the delivery with the annual rate required by the plan and the level of delivery set out in the plan in appendix B of the Plan (CD4.1 pages 321 and 323).
- 4.11 The table on the next page illustrates that the local plan has been unsuccessful in bringing forward the much needed housing in the area having under delivered against the annual requirement by about 2,000 dwellings.
- 4.12 Even taking account of the plans approach of meeting unmet need over the 10 years from adoption (as illustrated in Tale 3.1 of the LP 2018) there is still a substantial shortfall of some 1,222 dwellings (which is 20%) less that what was required to be delivered according to Table 3.1 (CD4.1 Local Plan Page 30)
- 4.13 More importantly for this assessment the Council's assessment of delivery of the identified sites submitted to and agreed by the local plan inspector has been shown to be wildly optimistic. In the first five years after adoption in 2018 the council's evidence<sup>5</sup> was that some 7029 dwellings would be delivered instead only 4000 have been delivered. This is an under supply of over 3,000 dwellings in the first five years.
- 4.14 In the first five years of the local plan the council only delivered 57% of the dwellings it had claimed it could deliver at the time of the local plan examination.

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<sup>5</sup> CD4.1 EHDC Local Plan 2018 Appendix B. Strategy Worksheet page 322/3  
*06.12.24.H258.18PS.PoE Five-Year Housing Land Supply*



**Table 1. Delivery of housing measured against annual housing requirement in the local plan and the increase requirement in table 3.1 of the local plan**

	Net Number of Completions	Local Plan Requirement	Difference to annual requirement	Local Plan requirement plus meeting backlog over 10 years	Difference of delivery to requirement plus meeting backlog over 10 years
2011/12	383	839	-456		
2012/13	699	839	-140		
2013/14	366	839	-473		
2014/15	503	839	-336		
2015/16	674	839	-165		
2016/17	620	839	-219		
2017/18	463	839	-376		
2018/19	908	839	69	1,018	-110
2019/20	952	839	113	1,018	-66
2020/21	805	839	-34	1,018	-213
2021/22	872	839	33	1,018	-146
2022/23	886	839	47	1,018	-132
<b>Total</b>	<b>8,131</b>	<b>10,068</b>	<b>-1,937</b>	<b>5090</b>	<b>-1090</b>

Source: CD17.8 EHDC AMR & CD4.1 EHDC Local Plan 2018 Table 3.1 page 30

**Table 2. Delivery of housing measured against Local Plan trajectory**

	Net Number of Completions	Local Plan Trajectory	Difference between delivery and LP Trajectory
2011/12	383		
2012/13	699		
2013/14	366		
2014/15	503		
2015/16	674		
2016/17	620		
2017/18	463		
2018/19	908		
2019/20	952		
2020/21	805		
2021/22	872		
2022/23	886		
Total	8,131		
Sub total to 2017	3,245		
LP Trajectory to 2017		3,244	1
Sub total 2018 to 2022	4,000		
<b>LP Trajectory 2018 to 2022</b>		<b>7,029</b>	<b>-3,029</b>

Source: CD17.8 EHDC AMR & CD4.1 EHDC Local Plan 2018 Appendix B. Strategy Worksheet page 322/3

- 4.15 The potential for this discrepancy between the predicted and actual levels of completions was brought to the attention of the council and the inspector prior to and during the examination of the plan.
- 4.16 I attended the East Herts Local Plan and made objections to the Council's trajectory of 5,697 dwellings for the period 2018 to 2022. Notwithstanding this over the examination the trajectory was further increased to the 7,029 as it appears in the Plans Trajectory. The reality is that on both assumptions the council wildly over optimistic with regard to both lead in times and build out rates.
- 4.17 This provides an important context when considering the Council's most recent predictions regrading completions.

**d) The implications of under delivery for Local plan policies**

- 4.18 The levels of completions anticipated in the Council's trajectory have not been met. In fact, delivery has fallen some 3,029 dwellings below what was expected at the time of the EiP. Even taking the level of housing required to meet the identified need in the local plan over the 10 year period as set out in table 3.1 of the local plan (CD4.1) the level of completions is still some 1,222 below what was required.
- 4.19 The law relating to the interpretation of a policy being out-of-date is usefully explained by Lindblom J (as he then was) in *Bloor Homes East Midlands Limited v SSCLG* [2014] EWHC 754 (Admin); [2017] PTSR 1283 (CD17.9). This decision relates to the 2012 NPPF and deals with the question of the out of date nature of policies. The judgement states at paragraph 45 that:
- "If the plan does have relevant policies these may have been overtaken by things that have happened since it was adopted, either on the ground or in some change in national policy, or for some other reason, so that they are now "out-of-date". .... And the question of whether relevant policies are no longer up to date will be either a matter of fact or perhaps a matter of both fact and judgment."*
- 4.20 *Wavendon Properties Ltd v SSHCLG* [2019] EWHC 1524 (Admin) (CD17.10 paragraph 58) makes it clear that the most important policies should be viewed together, and an overall judgement made whether the policies as a whole are out of date.
- 4.21 The approach to be taken is as follows:
- a) Identifying the basket of most important development plan policies, these are not limited to those cited in the decision notice but can be wider.
  - b) Consider if each policy is "Out of date" (not time-expired) but whether or not the policy has become inconsistent with the NPPF, i.e. overtaken by things that have happened since it was adopted, either on the ground or in some change in national policy, or for

some other reason.

- c) Reach a judgement whether as a whole the basket of most important policies are out of date noting that even if one or more policies in the basket are out of date this is not determinative of whether the basket of most important policies is out of date overall.
- d) The datedness of the basket of policies informs the decision as to the application of the “tilted balance” in NPPG paragraph 11 a decision does not necessarily follow the application of the tilted balance.
- e) The proposal must still be judged against the policies of the development plan and degree of any conflict must be weighed against both the datedness of that policy and the compliance of the proposal with other policies in the development plan as well as any other material considerations turn.

4.22 The policies that are referenced in the punitive reason for refusal that are rendered out of date by the substantive failure of the chosen strategy to deliver housing requirement are as follows

- a) The East Herts District Plan
  - i) Policy DPS1 Housing, Employment and Retail Growth In the period 2011 to 2033
  - ii) Policy DPS2 The Development Strategy 2011-2033 I. The strategy of the District Plan is to deliver sustainable development in accordance with the proposed hierarchy
  - iii) Policy DES2 Landscape Character
  - iv) Policy DES3 Landscaping
  - v) Policy GBR2 Rural Area Beyond the Green Belt

**e) Conclusions on past delivery**

4.23 In these circumstances I would conclude that the strategic policies regarding the identification of allocations and the restrictive policies prevent development beyond settlement boundaries are out of date as they have clearly been over taken by events. These events being the non-delivery of the strategy.

## 5.0 PREVIOUS APPEALS

5.1 While there have been a number of appeals in East Herts which are briefly reviewed below, it is the first appeal decision APP/J1915/W/22/3303408, that provides the background to the current position and have informed the recently Published Five Year Housing Land Supply Position Statement for the period 2023/4 to 2027/28.

a) **APP/J1915/W/22/3303408, 3303413 & 3288702; 1 Whempstead Road, Benington SG2 7BX**

5.2 Decision date: 19th January 2023

5.3 This was based upon the then recently published 5YHLSPS (November 2022) which claimed a 5.8 year supply equating to 7,516 deliverable dwellings.

5.4 In respect of GA1:the Gilston Area and HERT3:West Herford North the inspector found (CD17.11 paragraph 55) that despite outline planning applications for housing having been submitted in 2019, they remained undetermined and that the failure of these sites to come forward according to the Council's timescales in the 2019 5YHLSPS (CD17.12) undermines any confidence in the future milestones set out in the 2022 position statement (CD5.3), particularly as no planning permission existed, and reserved matters and planning conditions submissions will be required before substantive works can commence in order to deliver housing according to the timescales outlined.

5.5 It should be noted that as expected by the inspector the timescales set for these two sites in the 2022 Position Statement (CD5.3) have not been met as GA1 was according to the Council going to deliver 200 dwellings this year (2024/25) and yet no permission has been granted and HERT3 was to deliver 150 dwellings next year (2025/26) and again no permission has been granted (although 10th April 2024 with recommendation to approve. S106 not yet finalised).

5.6 In para 55 (CD17.11) the inspector considers that the Council's timing for the resolution to grant outline permission for WARE2: Land north and east of Ware in the first quarter of 2023 to be incredibly optimistic and indeed it was as this application was not validated until Jan 2023 and remains undetermined to this date.

5.7 In respect of EWEL 1: Land east of Welwyn Garden City the inspector (CD17.11 para 58) identifies the issues of having to approve a large complex scheme across LPA boundaries as an issue that will add additional complexities to securing the approval and development of the site and indeed the 50 completions that the Council predicted as occurring next year (2025/26) again appear highly unlikely as the outline application remains undetermined

despite the Council's timescale of granting permission last month (March 2024).

5.8 It is pertinent to note that the inspector (CD17.11 paragraph 59) accepted the appellants approach for WARE2 and EWEL 1 despite the signed statements of common ground with respective applicants citing that none of the timescales set out previously in 2019 had been met.

5.9 The above led to the inspector (CD17.11 para 60 and footnotes 18 to 21 page 10) to question the overall deliverability of the Council's anticipated supply of housing and accepting the appellant's position excluded contributions from the following sites:

- a) Sites GA1:the Gilston Area
- b) HERT3:West Herford North
- c) WARE2: Land north and east of Ware
- d) EWEL 1: Land east of Welwyn Garden City

11.1 This resulted in the inspector concluding that there was a modest shortfall in the five year land supply of some 760 dwellings (CD17.11 para 60 page 10).

**b) APP/J1915/W/21/3288595 & 3288588; 1 Whempstead Road, Benington SG2 7BX**

5.10 These decisions (27 January 2023) simply refer back to the findings in the above case (CD17.13).

**c) Appeal Ref: APP/J1915/W/23/3321219 Land at Tewin Hill, Upper Green Road, Tewin, Hertfordshire AL6 0LJ**

5.11 This decision (13 October 2023) did not investigate the supply, but the Council appear to have accepted that a 5 year supply could not be demonstrated (CD17.14 paragraph 58).

**d) Appeal A: APP/J1915/C/22/3291052 and Appeal B: APP/J1915/W/23/3317491 Land at Quinbury Farm, Hay Street, Braughing, Ware, Hertfordshire SG11 2RE**

5.12 Paragraph 31 of this decision states (CD17.15).

*"It is undisputed that the Council is unable to demonstrate a five-year supply of deliverable housing sites. The Council refers within its statement, as confirmed at the Hearing, to having a **4.41 year supply**, equating to a shortfall of 760 dwellings."*

5.13 Paragraph 32 of the decision (CD17.15) confirms that paragraph 11(d) of the Framework is therefore engaged.

**e) Conclusion**

**5.14** It would appear that the Council have a track record of being over optimistic in terms of the timescales taken to achieve the relevant consents and for the relevant lead in times for development to start. This includes acceptance by the Council as most recently as an appeal hearing 17<sup>th</sup> October 2023 that the Council has a 4.41 year supply and a 760 dwelling shortfall

in the five year land supply CD17.15 para 31).

## **6.0 THE USE OF THE UPDATED AFFORDABILITY RATIO**

- 6.1 The Council published the Five Year Housing Land Supply Position Statement in March 2024 (CD5.3).
- 6.2 This covers the period from 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2028. As such it has just under four years left to run.
- 6.3 In April 2024 the council published a Position Statement Addendum (CD5.5).
- 6.4 This updated the housing requirement by changing the inputs to both step 1 and step 2 of the Standard Method as follows:
- a) Step 1: uses the 2014-based household projections to calculate the increase across a 10-year period. The addendum changes this 10 year period from the 10-year period, 2023-2033 in the original statement to the period 2024 – 2034. The impact of this is as follows:
    - i) Period 2023 – 2033 increase of 732.3 households per year
    - ii) Period 2024 – 2034 increase of 726.8 households per year
    - iii) The impact is a reduction of 55 households over the different 10 year periods.
  - b) Step 2: uses the affordability ratios published by the government. The addendum changes the 2022 based affordability ratio of 12.29 to use the 2023 based ratio (published by the Government on 25 March 2024) of 10.92.
- 6.5 The impact of applying both these changes is as follows:
- a) The original Position Statement has a requirement for the Period 2023 – 2033 of 1,112 dwellings a year resulting in a five year requirement of 5,560.
  - b) The Position Statement Addendum has a requirement for the Period 2024 – 2034 of 1,041 dwellings a year resulting in a five year requirement of 5,205.
  - c) The impact in the results of the standard method is a reduction in the housing requirement of 355 households over the different 10 year periods.
  - d) The consequence of these applied to the updated lower housing requirement to the Council's Five Year Housing Land Supply position for the period 2023 to 2028 is to increase the claimed supply from 5.57 years to 5.95 years.
- 6.6 The Position Statement Addendum (CD5.5) does not provide any explanation as to why the results of the Standard Method for the period 2024 to 2029 should be used to measure the adequacy of the land Supply for the period 2023 to 2028.
- 6.7 It is my position that the use of the results of the Standard Method for the period 2024 to 2029 should not be used to assess the Housing Supply for the 5 years between 2023 to 2028. The requirement should be based on the same time period.
- 6.8 It is accepted that if the council updated its evidence base of supply to cover the five years starting from 1<sup>st</sup> April 2024 then the updated figure could be used. I have attempted to update



the position and this is set out later in my evidence.

- 6.9 If the base date of the calculation is 1st April 2023 then this is the date for both the calculation of the requirement and supply.
- 6.10 Paragraph 77 of the Framework requires the Council to:
- “In all other circumstances, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years’ worth of housing, or a minimum of four years’ worth of housing if the provisions in paragraph 226 apply. The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old.”*
- 6.11 The PPG step 1 requires that the current year be used as the starting point from which to calculate growth over that period over the next 10 years<sup>6</sup>. It further confirms that this is a single annual exercise<sup>7</sup>.
- 6.12 It is noted that if the authority wished to confirm its five year housing land position by producing an annual statement this would need to be submitted to the Planning Inspectorate for review by 31 July of the same year<sup>8</sup>. Although the Council have not pursued the option of confirming their 5 year land supply the timescale suggested would clearly prevent the use of much later evidence being used to define the Housing Need via the SM.
- 6.13 The annual five year land supply statement is a single statement to be published annually it is not a rolling position statement to be continually updated. An early appeal which addressed the issue of including data after the start of the plan period was the Woolpit appeal in Mid Suffolk District Council where the inclusion of sites in the supply that did not pass the test of deliverable at the base date and the Inspector concluded (CD17,16 Appeal Decision APP/W3520/W/18/3194926 paragraph 67) that including such late information would “skew” the data.
- 6.14 The issue of which version of the Standard Method (SM) to use has recently been directly addressed in the Post Office Lane, Kempsey Appeal Decision<sup>9</sup>. In this case the choice was between the 2022 based SM and the 2023 Standard Method (SM) (paragraph 36). The inspector noted (CD17.17 paragraph 37) that the Council’s most recent annual update of its supply of specific deliverable sites is set out in the HLSR2022 for the five-year housing land

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<sup>6</sup> NPPG Paragraph: 004 Reference ID: 2a-004-20201216

<sup>7</sup> NPPG Paragraph: 009 Reference ID: 68-009-20240205

<sup>8</sup> NPPG Paragraph: 012 Reference ID: 68-012-20240205

<sup>9</sup>



supply position as of 31 March 2022 which was based on a local housing need calculated using the projected average annual household growth over a 10-year period from 2022 and an affordability adjustment based on the then most recent median workplace base affordability ratios published in 2022 (these would be the ratios for the year ending September 2021).

- 6.15 The inspector rejected the submission by the council (CD17.17 Paragraph 48) to update its calculation of local housing need based on updated affordability ratios published by the Office of National Statistics in March 2023 and household growth using a current year of 2023. Having considered an appeal which took the alternative view<sup>10</sup> and one which did<sup>11</sup> the Inspector concluded:

*40. To my mind, the PPG is not intended to be read in isolation. So far as relevant to this case, the use of the standard method is required by the Framework as part of the process to **'identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing...against their local housing need...'**. In this context, consistency, in terms of need and supply data, is likely to flow from the application of the standard method as part of the process of annual update.*

- 6.16 In terms of the earlier appeals while I note the inspectors finding in the Station Road, Long Melford appeal<sup>12</sup>. The Secretary of State does not take this forward but instead relies upon a new Housing Land Supply Position Statement in September 2019 which superseded the 2018 position that was debated at the inquiry.

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<sup>10</sup> CD17.18 APP/D3505/W/18/3214377 (DL paragraphs 17 to 22 and IR paragraphs 10 and 426 to 430).

<sup>11</sup> CD19.19 Gloucester Road APP/P0119/W/17/3189592 (paragraph 9)

<sup>12</sup> CD17.18 APP/D3505/W/18/3214377 (DL paragraphs 17 to 222 and IR paragraphs 10 and 426 to 430).  
*06.12.24.H258.18PS.PoE Five-Year Housing Land Supply*

## **7.0 ASSESSMENT OF THE POSITION OF INDIVIDUAL SITES AT 1<sup>ST</sup> APRIL 2023 AND 1<sup>ST</sup> APRIL 2024**

### **a) Introduction**

7.1 The Housing Land Supply Position Statement (CD5.3) states that it has divided the supply into Category A and B sites in accordance with the definition of delivery in the NPPF.

7.2 Our analysis however reveals that there are outline permissions that the Council have included in part a) which only have reserved matters approved for parts of the site. In these circumstances it is our opinion that the Council still need to provide clear evidence that those parts of the site not covered by Reserved Matters (RM) will be delivered.

7.3 In addition, it is noted that for Category B sites the Council is heavily reliant upon proformas from the promoters of the sites and that these have been found to lead to over optimistic assumptions in the past.

### **b) Note on the Council's claimed supply.**

7.4 As part of the work on the SoCG the council have agreed to delete two sites from their supply and have requested that an addition site be added these are listed below.

#### a) Sites to be deleted from supply

- i) 3/20/0461/ODPN Mill Studio Business Centre, Crane Mead - 45 dwellings
- ii) 3/18/0329/FUL Great Hadham Golf And Country Club, Great Hadham Road -7 dwellings

#### b) Sites the council wish to add to the supply

- i) BISH6 Bishop's Stortford High School + 223 dwellings

7.5 The above changes amend the total supply to 6360 (6189-7-45+223)

7.6 I adopt this figure and make the following reductions based on my analysis below.

7.7 The Council have moved The Goods Yard, Bishop's Stortford from being a category A to category B site.

### **c) Category A sites**

7.8 To be considered within Category A they are:

- a) sites which do not involve major development (less than 10 dwellings or residential development on a site area less than 0.5 ha and the number of dwellings is unknown) and have planning permission (Full or Outline), and
- b) all sites with detailed planning permission (Full or Reserved Matters),

7.9 The above sites should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term

phasing plans).

7.10 The following sites are challenged on the basis that for some parts of the site are not Category A but are simply still only subject to outline permission and/or the assumptions regarding lead in times and build out rates and not considered to be realistic given the evidence available.

7.11 The table in appendix 1 provides a summary of the sites that the Council have included as category A sites on which we are challenging delivery.

**i) Site: 3/21/1100/REM 3/21/2054/VAR Land south of Hadham Road Bishop's Stortford, Bishop's Stortford**

7.12 This application 17/00015/NONDET was allowed on appeal.

7.13 The council have confirmed that 111 plots were completed in 2022/23 leaving just 51 to be completed in 2024/25.

7.14 This does not impact on the Council's five year supply in the period **2023/24 to 2027/28 by 0 dwellings.**

7.15 It would reduce the five year supply in the period **2024/25 to 2028/29** by 49 dwellings as the council had predicted 100 rather than 51 in the year 2024/25.

**ii) Site: 3/13/0804/OP ASR's 1-4 Land at Bishop's Stortford North**

7.16 Outline (3/13/0804/OP) was for 2,200 dwellings which was granted on 2<sup>nd</sup> April 2015.

7.17 The following applications have been approved:

- a) 3/13/0804/OP – Phase 1 was granted fill permission for 836 dwellings (Updated Planning Statement para 2.11 page 15)
- b) 3/18/1898/VAR - 85 - granted. Persimmon Homes
- c) 3/21/1256/REM - Approved - 10/2/23 - 105 dwellings Taylor Wimpey North Thames
- d) 3/21/1599/REM - Approved - 78 dwellings - Tilia Homes
- e) 3/22/0458/REM – Approved - 124 dwellings - Persimmon Homes
- f) 3/22/2594/REM - Approved - 4/8/23 - 34 dwellings. Taylor Wimpey North Thames
- g) 3/23/0613/REM – Approved 76 dwellings. Taylor Wimpey
- h) 3/23/2317/REM - Pending - Validated 14/12/23 - 114 dwellings Persimmon Homes
- i) 3/24/0735REM – Pending – 160 dwellings - Taylor Wimpey

7.18 First completions occurred of 81 dwellings in 2018/19 (CD17.12 page 53 appendix A) and the then Trajectory predicted that the would be 1,010 completions by 2023/24 and 1,260 completions by 2023/24.

7.19 The current 5YHLS (CD5.3 appendix A page 60) states that there have been 636

dwellings delivered between 2018/19 and 2022/23. This is 127 over 5 years to date on average.

7.20 In the exchange of evidence regarding the SoCG the council identified that there was a mistake in the published 5YHLSPS (CD5.3) and that there were 84 completions in 2018/19 and more importantly that completion data of the last two years had been omitted from the calculation. This meant that instead of 636 completions there had in fact been 890 dwellings completed up to 2022/23. This is still significantly short of the projected figure of 1,010 dwellings (CD17.12 page 53)

7.21 The actual recorded completions are set out in the table below.

**Table 3. Completions on ASR 1- 4 Bishop’s Stortford**

	18/19	19/20	20/21	21/22	22/23	23/24
ASR 1 - 4 Bishop’s Stortford	84	286	267	151	105	32

Source: EHDC email Fri 2024-06-07 14:12

7.22 The council claim the average from 2019-2023 is 202 dpa. The Council further claim that the build out rate of 260 dpa has been achieved during 2019/20 and 2020/21 with 286 and 267 homes completed. While both claims are true it does not in my mind justify using either the 260 dpa or 202 dpa as an appropriate prediction of future delivery on the site.

7.23 The predicted rate of 260 dpa and the average rate over 4 years of 202 dpa are both considerably higher than the mean buildout rate for sites of this size is 150 dpa and the median rate of 138 dpa according to “Start to Finish”<sup>13</sup>

7.24 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.

7.25 It is noticeable there was a peak of delivery at the start of construction but a fall to more modest levels in the last two years which are more reflective of the median level in “Start to Finish”

7.26 The first point to note is that for the period 2019/20 to 2022/23 the council and developer predicted 1,010 completions and against this the Council’s claimed 890 completions reduce to 806 completions (taking account of the 84 claimed completions in the year 2018/19) and this demonstrates that the rates being claimed by the council and developer remain overly optimistic (5YHLSPS October 2019 CD17.12 page 53).

<sup>13</sup> CD17.20 Lichfields “Start to Finish: How quickly do large-scale housing sites deliver? table 4.2 page 14 06.12.24.H258.18PS.PoE Five-Year Housing Land Supply

- 7.27 There is a further issue with regard to the claimed delivery of 1,260 dwellings in that there are no reserved matters applications listed in the 5 year land supply. For the whole 1,260 completions to be considered as Category A they need to have either Reserved Matters or full permission. The council have provided no evidence that all of the claimed future supply are actually covered by a full or reserved matters planning permission. If not, then these elements of the supply need to have clear evidence of their delivery.
- 7.28 From the identified applications above there appear only to be extant reserved matters for some 1,338 of which 890 have been built leaving 448 dwellings with RM consent. IN addition there are a further 274 (160 + 114) dwellings with RM pending. This gives a total of 722 with extant or pending RM.
- 7.29 This leaves 578 of the 1,300 forecast completions with only Outline consent and as such are Category B sites which require the council to produce clear evidence of delivery and they have not produced this evidence. Unless the council can identify the extant full and reserved matters permission that exist to support their claimed supply from Category A sites then the majority of the claimed supply has to be treated as being Category B type sites and the council are required to provide clear evidence of delivery and they have not done so.
- 7.30 Even if the council can demonstrate there are full or reserved matters applications for the whole of their claimed supply, I am still of the option that the evidence does not support the use of an average completion rate of 260 dpa over the next five years.
- 7.31 In my experience completion rates fluctuates but basing the next five years completion rates on the two highest rates achieved in the last 4 years is not a sound approach.
- 7.32 Given the fluctuation of the completions over the last five years, the fact that it appears much of the claimed delivery is only subject to outline approval, as well as the proven over optimism of the developer and council I consider the most reliable completion rate to use would be 140 dpa as this relates to the published data and the wider evidence from "Start to Finish" 3<sup>rd</sup> Edition (CD17.20 table 4.2 page 14).
- 7.33 This gives a total level of completions of 700 dwellings (140 x 5) which closely aligns with the number that are subject to extant or pending RM applications.
- 7.34 The impact of the above as set out in the table in appendix 1 would be to reduce the Council's five year supply in the period **2023/24 to 2027/28 by 600 dwellings.**
- 7.35 It would further reduce the Council's five year supply in the period **2024/25 to 2028/29 by 600 dwellings.**

7.36 The issue of the 5 yr LS (CD5.3) under estimating completions does pose a serious issue of the remainder of the assessment for if this is also occurring on other sites then it is inflating the supply artificially by retaining sites in the land supply that have actually been completed.

**iii) Site: 3/21/2339/REM 3/20/0683/REM ASR 5, Land at Bishop's Stortford North**

7.37 Originally the allocation was granted consent under 3/13/0886/OP but the remainder of the site is now being delivered under outline consent for 260 dwellings (3/18/0652/OUT) and following RM applications have been received:

- a) 3/20/0683/REM was for phase C 53 dwellings
- b) 3/21/2339/REM phase D 203 dwellings
- c) 3/23/0613/REM – 15/2/23 approved – 76 dwellings.

7.38 The first completions on this site were in 2018/19 (69 dwellings). There are now (04.04.24) some 219 dwellings completed between 2018/19 to 2022/23. This is an average of an average of 44 dwellings.

7.39 A build out rate of 44 dpa is the median delivery of sites of this size (100 to 499) in “Start to Finish”<sup>14</sup>

7.40 This site is being developed by a single developer Countryside.

7.41 There is no evidence provided to justify a higher rate of completions as proposed by the Council and the past average rate would be a more appropriate figure going forward.

7.42 The impact of the above as set out in the table in appendix 1 would be to reduce the Council’s five year supply in the period **2023/24 to 2027/28 by 46 dwellings.**

7.43 It would further reduce the Council’s five year supply in the period **2024/25 to 2028/29 by 36 dwellings.**

**iv) Site: The Goods Yard, Bishop's Stortford**

7.44 The Council have moved this site from category A to category B. and I will deal with both parts of the site in category B below.

**v) 3/17/0414/REM; Area 3, Land south of Hare Street Road**

7.45 As of 2/04/24 all properties completed and sold by Wheatley Homes.

7.46 The impact of the above as set out in the table in appendix 1 would be to reduce the Council’s five year supply in the period **2023/24 to 2027/28 by 0 dwellings.**

7.47 It would further reduce the Council’s five year supply in the period **2024/25 to 2028/29 by 66**

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<sup>14</sup>CD17.20 table 4.2 page 14

**dwelling.**

**d) Category B sites**

7.48 To be considered a Category B site the Council are required to demonstrate there is clear evidence that housing completions will begin on site within five years. These could include the following sites:

- a) Sites with outline planning permission for major development,
- b) Sites allocated in a development plan,
- c) Sites with a grant of permission in principle,
- d) Sites identified on a brownfield register.

7.49 This is not an exclusive list and it is for the Council to demonstrate the delivery of any sites proposed in this category.

**i) Site: BISH6 Bishop's Stortford High School**

7.50 This site is subject to an outline application (3/20/0151/OUT) for 223 dwellings and is still awaiting the signing of s106,

7.51 The 5YHLSPS (CD5.3 para 4.18 page 16) does not included any dwellings for the BISH6 site within the land supply calculation. The statement states that whilst good progress has been made towards the delivery of dwellings in this location, at present there is still a functioning school on the site and despite there being a strong prospect that dwellings will be delivered within five years, the site cannot currently be considered 'available'.

7.52 While I note that the new School has now been built and is due to open this year (2024) and that there has been progress on this site the s106 has not been signed (according to the councils web site and the decision has not been issued) and there is a further requirements for the negotiation of RM which has not yet been submitted.

7.53 Strat to Finish<sup>15</sup> suggests that the average tie of sites of this size to take between the granting of outline permission and first delivery is just over 3 years. As the decision has yet to be issued this is likely to take any completions outside of the period being considered by the council.

7.54 The council were clear at the time of publication that the above did not represent clear evidence and I share this view and on this basis, it should be removed from the Land Supply.

7.55 The impact of the above as set out in the table in appendix 1 would be to reduce the Council's

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<sup>15</sup> CD17.20 Fig 3.2 Page 9  
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five year supply in the period **2023/24 to 2027/28** by **223 dwellings**.

7.56 It would further reduce the Council's five year supply in the period **2024/25 to 2028/29** by **223 dwellings**.

**ii) Site: The Goods Yard, Bishop's Stortford**

7.57 The Council have moved this site from category A to category B.

7.58 The original hybrid application was for 323 dwellings in detail and the remaining 263 units in outline. There have been 149 units completed leaving 175 units with detailed consent. I have assumed that these remaining units with full permission will be delivered.

7.59 The council state that this new Hybrid application (3/22/1613/OUT) for 423 dwellings (245 in detail/178 in outline) which is to be determined in 2024 will deliver 105 units more than the previous outline taking into account the 323 dwellings that are being built out.

7.60 This new hybrid application is for 178 dwellings in detail and 245 dwellings in outline.

7.61 The council identify the delivery of the earlier part of the scheme as "clear evidence" that this part of the scheme will also be delivered.

7.62 The 5YHLSPS (CD5.3 paragraph 4.24) states that Solum are working constructively with the LPA in relation to the new planning application and a decision is expected by Summer 2024.

7.63 The council are claiming some 458 dwellings will be delivered in the first five year period. I consider that beyond those 175 sites presently with full permission (are still to be completed 109 in 2023/24 and 66 in 2024/25) there should be no further contributions included for this site in the next five years.

7.64 The new hybrid application is clear evidence that the existing consents are unlikely to be implemented

7.65 The previous delivery is not in my view clear evidence that the site will continue to deliver these completions in the next 5 years.

7.66 After almost a year of inactivity on this application there has recently been submitted a Flooding Sequential Test and this 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

7.67 While progress is being made this fails short of clear evidence as this is a complex proposal that delivers not only dwellings but also commercial space.



- 7.68 In light of the commentary on this site is set out above, particularly given the unresolved LLFA matters (flood, drainage and restoration of a watercourse) I consider these dwellings should be discounted.
- 7.69 In terms of the original entry in the 5YHLSPS for the Category A Sites the impact of the above as set out in the table in appendix 1 would be to reduce the Council's five year supply in the period 2023/24 to 2027/28 by 317 dwellings.
- 7.70 It would further reduce the Council's five year supply in the period 2024/25 to 2028/29 by 266 dwellings.
- 7.71 In terms of the original entry in the 5YHLSPS for the Category B Sites the impact of the above as set out in the table in appendix 1 would be to reduce the Council's five year supply in the period **2023/24 to 2027/28 by 105 dwellings.**
- 7.72 It would further reduce the Council's five year supply in the period **2024/25 to 2028/29 by 105 dwellings.**
- iii) Site: Old River Lane (The Causeway) Bishop's Stortford**
- 7.73 The outline application (3/22/2571/OUT) for 225 dwellings submitted in February 2023 was withdrawn in September 2023.
- 7.74 The proforma in Appendix B of the 5YHLSPS (CD5.3 table row 2 PDF page 73) states that the signing of the Development Agreement for the site is a key factor in advancing and concluding the planning application preparation process and its submission. It further states that this agreement has not been signed.
- 7.75 The Council suggest that it is the developers' intention to submit a full planning application in the Summer of 2024 (CD5.3 table row 3 PDF page 74).
- 7.76 The masterplan for the Old River site was for residential dwellings, offices, retail space and an arts centre comprising a 5-screen cinema and events space.
- 7.77 In the proforma the developers emphasise that the completion of the Development Agreement is required to establish contractually binding and secure position and arrangement to ensure the delivery of the scheme. The intended rationalised scheme will simplify landownership and other occupier interests in the site and scheme – increasing and improving the deliverability of the scheme (CD5.3 table row 4 PDF page 75).
- 7.78 At an extraordinary meeting on Tuesday, January 18 2024, it was reported to East Herts Council's cabinet members that at present the Old River Lane Arts Centre was not affordable

(CD17.21 paragraph 4.1 page 8 and 9). At the Council's delivery board meeting 25th April 2024, it was reported the Council "continues to work on finalising the Development Agreement" (CD17.22 page 2).

- 7.79 The lack of detail regarding the signing of agreement resolving landownership and contractual positions is required to secure delivery. 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.
- 7.80 At present there is no pending application for this site and what appear to be issues with funding at least elements of the scheme.
- 7.81 The impact of the above as set out in the table in appendix 1 would be to reduce the Council's five year supply in the period **2023/24 to 2027/28 by 150 dwellings**.
- 7.82 It would further reduce the Council's five year supply in the period **2024/25 to 2028/29 by 150 dwellings**.

**iv) Site: Inside Settlement Boundary North-West Buntingford**

- 7.83 The Council's reasoning for including this site is that the Buntingford Neighbourhood Plan allows for housing development within the settlement boundary of Buntingford subject to other policies in the Neighbourhood Plan, so whilst not allocated in the District Plan the principle of development is accepted (5YHLSPS CD5.3 paragraph 4.137). That there was a master plan approved in 1 March 2022 and the Council had a completed proforma from the developer.
- 7.84 The application 3/22/1030/OUT was granted permission on 19 Mar 2024 there is no RM pending.
- 7.85 The promoter who gained the outline states in the proforma response that they have yet to engage a housebuilder to deliver the project (CD5.3 appendix K page 26 Response to Q2 and Q5). 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.
- 7.86 This is an outline application with a signed proforma from the promoter. There is no further evidence of delivery.
- 7.87 The impact of the above as set out in the table in appendix 1 would be to reduce the Council's five year supply in the period **2023/24 to 2027/28 by 58 dwellings**.

7.88 It would further reduce the Council's five year supply in the period **2024/25 to 2028/29 by 58 dwellings.**

**v) Site: HERT3 West of Hertford (North)**

7.89 The outline application for 342 dwellings (3/19/0790/OUT) was considered by committee on 10th April 2024 and it was resolved to grant permission subject to a section 106 legal agreement and subject to the conditions set out at the end of the report and subject to the following additions to conditions:

- a) Pedestrian crossings will be constructed.
- b) Works be carried out and completed in respect of bus stops (conditions 15 and 17).
- c) Condition requiring the details of a green corridor.
- d) Officers identify a way of referring to heights above ordinance survey datum.
- e) Clarification of the allocation of section 106 funds.

7.90 The S106 has not yet finalised. As demonstrated by a number of the contested sites in this report there is a history of long delays after the decision to grant in principle in this authority. In this context there is an objection dated 5th April 2024 by Tarmac Limited (CD17.23) regarding the failure of the Council to correctly address the Policy HERT3 requirement for a contribution towards Panshanger Park (£337,133)

7.91 The applicants London and Regional confirm that no decisions have been made regarding delivery partners, but they state that they do have the ability to develop the site themselves although their web site contains no examples of domestic residential developments instead their expertise is in delivering commercial buildings and apartments (CD5.3 pdf page 81).

7.92 It should be noted however that the 5YHLSPS Position Statement dated October 2019 (CD17.12 pages 26 and 27) predicted the site would be complete by now includes a Statement of Common Ground (SoCG) between the site promoters and the Council confirming all 300 homes to be delivered by 1<sup>st</sup> April 2024 (CD17.12 pages 81 and 82 table 1). This referenced the outline planning application was validated April 2019 but forecast outline permission granted in November 2019, this is still outstanding. It further forecast all 300 homes is expected to be delivered in 2 years (start on site January 2022 and complete December 2024). This is unrealistic. This historic forecast by the council gives no confidence in the present forecast.

7.93 London and Regional note that the only outstanding ownership constraints that could impact on the delivery of this site is regarding highway land which will service a bus route which is currently being discussed with the landowner (CD5.3 pdf page 77 paragraph 10).

7.94 The applicants state (CD5.3 pdf page 77 paragraph 6) that:

*"I would like to think all 342 units will be completed within 5 years of completing of the S106"*

7.95 The applicants further response (CD5.3 pdf page 77 paragraph 7) is that the first completions will be in year 3 after the s106 is signed. The s106 is not yet signed so this would mean a start in 2027/28 at the earliest not 2026/27 as proposed by the Council if the s106 was signed now.

7.96 The proposed build out rate is twice the median 44 and mean 49 rates in the "Start to Finish 2024<sup>16</sup> which suggest sites of this size build out at median and mean.

7.97 The lack of an outline permission and the lack of certainty as to who might deliver the allocation means that there is not clear evidence that any completions will be delivered on this site so the five year contribution should be reduced to 0.

7.98 Even if more evidence became available then the evidence is that delivery on site will not be at least until 2027/28 and that as there are no details of who will be delivering the dwellings there is no evidence to support the much higher rate of delivery and delivery (if any) should be calculated at the median rate of 44 dpa which would suggest just 44 dwellings in the Council's five year period on their timescales.

7.99 The impact of the above as set out in the table in appendix 1 would be to reduce the Council's five year supply in the period **2023/24 to 2027/28 by 200 dwellings.**

7.100 It would further reduce the Council's five year supply in the period **2024/25 to 2028/29 by 300 dwellings.**

**vi) Site: HERT4 North of Hertford (North) Hertford**

7.101 The application 3/23/1642/FUL for the erection of 118 dwellings was submitted 25/08/2023. Permission has not yet been granted.

7.102 There was no evidence to justify the inclusion of this site at the start of the assessment period (1st April 2023). At that time there was no application (this was submitted in August 2023) and no proforma so the site should not have been included in the initial list.

7.103 It appears that this site has only have been included because of the evidence that has become available after the start date of the assessment.

7.104 The site despite being an allocation it is nevertheless subject to a large amount of opposition

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<sup>16</sup> CD17.20 table 4.2 page 14

including a campaign by CPRE.

- 7.105 The required highway works is subject to a separate application 3/23/1643/FUL remains undetermined
- 7.106 The planning application is at the very early stages of consideration and it is noted that the applicants assumption regarding permission being granted in spring 2024 has now passed. There was no clear evidence of delivery at the start of the period and the present very early stages of negotiating a planning approval against considerable opposition is not considered to be clear evidence of delivery.
- 7.107 Even if it was concluded that there was clear evidence as at 1<sup>st</sup> April 2023 then Start to Finish would suggest that first completions for a site of this size (100 – 499 dwellings) would be some 6 years after the validation of the application (CD17.20 Fig 3.1 page 8) which would place any future completions outside of the Council's time period.
- 7.108 The impact of the above as set out in the table in appendix 1 would be to reduce the Council's five year supply in the period **2023/24 to 2027/28 by 118 dwellings.**
- 7.109 If granted it would increase the Council's five year supply in the period **2024/25 to 2028/29 by 118 dwellings.**

**vii) Site: WARE2 Land North and East of Ware**

- 7.110 The application 3/22/2406/FUL is actually a Hybrid planning application, comprising of Outline approval for a residential-led mixed-use development for 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. All 1800 dwellings are part of the outline application.
- 7.111 This has not been determined and does not seek full permission for the proposed dwellings.
- 7.112 The most recent response from the Ecologist (CD17.24 7 July 2023) states that the application cannot be determined.
- 7.113 In addition, the County Council's Highways Officer's have requested further information, reference letter uploaded 2nd May 2023 which has not been addressed (CD17.25). The information requested included further design details including "A great deal of further works are also required on Amwell End and Station Road to improve the environment for walking and cycling and HCC are still awaiting the updated proposals." And "A great deal of further work is required in relation to the one-way proposals." (CD17.25 page 8).

- 7.114 The Lead Flood Authority 21/03/2023 objected to both the outline and full elements of this hybrid planning application in the absence of an acceptable Flood Risk Assessment (FRA), Drainage Strategy and supporting information.
- 7.115 In the 5YHLSPS (CD5.3) the Council state that the applicant Ptarmigan confirm that they are land promoter and will need to market the site to development partners once a resolution to grant has been secured on the outline planning permission.
- 7.116 The earlier 2019 5YHLSPS (CD17.12 page 100) predicted an outline submission in 2 of 2020 and the Outline was finally submitted in Q4 of 2022. Table 1 (CD17.12 page 102) predicted 100 completions from 2022/23.
- 7.117 “Start to Finish”<sup>17</sup> 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 would not deliver completions until June 2029 which is beyond both 5 year periods being considered in this report. “Start to Finish” Fig 3.2 (CD17.12 page 9) suggests that an average time period from the granting of Outline consent to first completions on a site of this size would be approximately 3.5 years, which would place any completions in the last 6 months of the Council’s five year period if consent was issued now.
- 7.118 The impact of the above as set out in the table in appendix 1 would be to reduce the Council’s five year supply in the period **2023/24 to 2027/28 by 75 dwellings.**
- 7.119 It would further reduce the Council’s five year supply in the period **2024/25 to 2028/29 by 150 dwellings.**

**viii) Site: GA1 The Gilston Area**

- 7.120 The Outline Application 3/19/1045/OUT is for up to 8,500 dwellings has a resolution to grant planning permission subject to s106. The council state that they expect to issue the decision notice in July 2024.
- 7.121 The 5YHLSPS report dated October 2019 includes a Statement of Common Ground (SoCG) found at Appendix M (CD12.17 page 197) between the site promoters and the Council predicting the determination of the outline application in Q2 of 2020 and submission of reserved matters in Q3 2020. The Outline application remains to be determined and there are no reserved matters application some 4 years later. The SoCG (CD12.17 page 197) predicts that there would have been 450 completions on site by now and that next year the

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<sup>17</sup> CD17.20 Figure 3.1 page 8  
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site would deliver 450 dwellings, and this would increase further to 650 dwellings for 2025/26 onwards.

7.122 The delivery in the Council's 5YHLSPS (CD5.3 page 41) is simply based upon the assertions of Places for People (PfP) that the proposed lead in time and delivery rates are appropriate. No evidence has been supplied to support these assertions.

7.123 The proforma states (CD5.3 para 1 PDF page 88) that the draft s106 will be published on the public register at the end of February 2024, with the final version ready to sign at the end of March 2024. This has not occurred.

7.124 In terms of selecting housebuilders to deliver the scheme PfP state in their proforma (CD5.3 para 5 PDF page 89);

*"PfP's role across the scheme is as the Master Developer, essentially responsible for the delivery of all strategic infrastructure and s106 obligations to deliver serviced land parcels. PfP have not selected development partners to deliver the homes within land parcels. This will be subject to a selection process and development partners will be required to meet a number of criteria."*

7.125 The process for selecting developers by PfP is not quick and the selection of suitable developers can take considerable time.

7.126 In response to the question about buildout rates PfP provide no context or evidence to support the levels of delivery they have proposed (CD5.3 para PDF pages 90/91).

7.127 In respect of the proforma question on unresolved ownership constraints that could impact on delivery PfP stated (CD5.3 para 10 PDF page 90):

*"Land assembly is required for the Central Stort Crossing and Eastern Stort Crossing. The two District Councils have cabinet decisions to use CPO powers where required. It is not expected that this will impact on the delivery of homes and PfP own the freehold to the land for homes in V1-6."*

7.128 There is a clear issue with landownership that remains unresolved as suggested by the letter from Pinsent Masons (27/03/23 CD17.12) acting for Mr Roger Beaumont and Mrs Mary Pope the owners the majority of the land required for the Eastern Stort Crossing which is proposed to be compulsorily acquired to unlock the development of the Gilston Garden Town, including Villages 1-6.

7.129 At 8,500 dwellings this would be larger than all but one of the sites considered in Start to Finish (Appendix 2)<sup>18</sup> and even for the smaller strategic sites the period between validation

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<sup>18</sup> CD17.20 Appendix 2 pdf page 19  
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of the application and first completions is some 6.7 years which in this case would have meant that approval should have been in year 5 (2024) and first completions should be in 2026/27. It is clear that these timescales are not going to be met in this case.

- 7.130 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 being the councils timescale.
- 7.131 It was considered that there was insufficient evidence as at the start date of assessment for this site to be reasonably included in the supply.
- 7.132 Since the start of the Council's assessment period the emerging evidence is far from clear that the site will result in the delivery of house completions in the next five years as there appear to remain considerable outstanding issues that require resolution either before or during the RM stages.
- 7.133 In light of the above there is no clear evidence of delivery from this site.
- 7.134 The impact of the above as set out in the table in appendix 1 would be to reduce the Council's five year supply in the period **2023/24 to 2027/28 by 100 dwellings.**
- 7.135 It would further reduce the Council's five year supply in the period **2024/25 to 2028/29 by 200 dwellings.**

**ix) Site: GA1 The Gilston Area (Taylor Wimpey)**

- 7.136 The Outline Application 3/19/2124/OUT for up to 1,500 dwellings on part of this allocation is still awaiting decision. The council state that the decision will be issued by the end of July 2024.
- 7.137 There have been no new documents recorded on the planning portal since Oct 2023 and there appears to be a number of issues including those required to overcome the earlier objection from Essex County Council 14 March 2023 (CD17.36) which requested:
- "Should there be a resolution to grant, the final legal agreements will need to provide the relevant safeguards to assure the principle of comprehensive development, and proportionate mitigations to the impact of development, under different scenarios of how phased development across villages and separate planning permissions may be built out - which must be considered in a scheme of this scale. We want to see the best possible outcomes from development secured and we look forward to working closely with EHDC and HGGT partners to finalise the s106 agreements, with adequate opportunities to provide timely input on this and subsequent planning decisions."*

- 7.138 This highlights the complexities of bringing forward a site of this size and added complexity of dealing with two highway authorities, this explains why I consider a much longer lead in



time should be anticipated.

7.139 The Environment Agency while not objecting stated that they would like to see an increased resilience against changes in surface runoff quality and quantity. They also outline the need for foul drainage upgrades stating CD17.37 page 5):

*“As outlined for application 3/19/1045/OUT we understand there is capacity at Rye Meads to take foul drainage from the Gilston developments and provide treatment up until 2036, after which capacity will need to be increased and further upgrades may be required before this date.”*

7.140 The extent of the task of resolving the issues listed in the HCC Growth and Infrastructure response to the re-consultation (CD17.38) which while not objections are still substantive matters that require significant additional work.

7.141 At present the site does not have outline permission and while progress is being made this is not clear evidence that this part of the site will deliver completions in the five year period.

7.142 The impact of the above as set out in the table in appendix 1 would be to reduce the Council’s five year supply in the period 2023/24 to 2027/28 by **50 dwellings**.

7.143 It would further reduce the Council’s five year supply in the period 2024/25 to 2028/29 by **100 dwellings**.

**x) Site: EWEL1 Land East of Welwyn GC**

7.144 Outline planning application (3/22/1315/OUT) is for 2,650 dwellings and encompasses land within both East Hertfordshire and Welwyn and Hatfield Council areas. This was submitted on 21 June 2022 and remains undetermined.

7.145 The 5YHLSPS report dated October 2019 includes a Statement of Common Ground (SoCG) between Tarmac and the Council confirming submission of the planning application summer 2020 (CD17.12 page 117). In fact, this was not validated until July 2022, some 2 years late. This same SoCG refers to the first completions starting 2021/22 with some 225 being completed by now and a continued build out rate of 125 dpa. This historic forecast gives no confidence to any new forecast of delivery in this 5 year period.

7.146 I note that the applicant has again updated the trajectory putting back the resolution to a granting of outline permission to 2025/26 and Reserved Matters approval 2026/27 followed by completion of the first 50 units in the same year.

7.147 The promoters Tarmac in their response to the Council in the Position Statement (CD5.3 para 4 page 21) 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. While it is suggested gravel extraction can take place at the same time as building out the site such a relationship is not good for sales if it were to occur.

- 7.148 The Five Year Land Position Statement provides no further evidence above the assurances of the promoter with regard to the proposed lead in times and build rates.
- 7.149 The Council have reduced the promoters estimate of a total of 250 dwellings coming forward in the five year period with first completions in two years' time in 2026/27.
- 7.150 Past missed forecasts on this site demonstrate that this level of optimism has been shown to be misplaced.
- 7.151 An added complication is that permission will also need to be gained from Welwyn and Hatfield Council as part of the application is within their jurisdiction.
- 7.152 It is noted that there remain unresolved objections from statutory consultees relating to the existing landfill on site from the Environment Agency (27/10/23) and from the Lead Flood Authority (9/11/23).
- 7.153 The average outline planning to delivery period” as calculated by Start to Finish<sup>19</sup> is almost 4 years for sites of this size. In this case the Council are suggesting just 2 years from now in a situation where the outline has not yet been determined.
- 7.154 The average time between validation and first delivery<sup>20</sup> on sites above 2,000 dwellings is 6.7 years so in this case validation was June 2022 and the average timescale would also place completions outside of the Council's five year time frame.
- 7.155 There is no evidence beyond the promoter's assertions to support earlier delivery. The Council have failed to demonstrate clear evidence of delivery within their five year period.
- 7.156 The impact of the above as set out in the table in appendix 1 would be to reduce the Council's five year supply in the period **2023/24 to 2027/28 by 125 dwellings.**
- 7.157 It would further reduce the Council's five year supply in the period **2024/25 to 2028/29 by 200 dwellings.**

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<sup>19</sup> CD17.20 figure 3.2 page 9

<sup>20</sup> Ibid figure 3.1

**xi) Site: Walkern Road Watton-at-Stone**

- 7.158 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.
- 7.159 The council provide no evidence as to why they considered this site was deliverable as at 1<sup>st</sup> April 2023.
- 7.160 The council sate that this application is due to go to committee in June and that work has started on the s106.
- 7.161 The application is on the committee agenda for 19<sup>th</sup> June 2024 with a recommendation for approval but this does not justify its inclusion in the 1<sup>st</sup> April 2023 land supply as there was no application at that time.
- 7.162 The council there is “no reason why in cannot be included in the 5 yr LS.” But this is the wrong test it is for the council to demonstrate clear evidence of delivery necessary to include the site in the land supply.
- 7.163 The impact of the above as set out in the table in appendix 1 would be to reduce the Council’s five year supply in the period **2023/24 to 2027/28 by 60 dwellings.**
- 7.164 It would further reduce the Council’s five year supply in the period **2024/25 to 2028/29 by 0 dwellings.**

**e) Windfall**

- 7.165 The council position on windfall is not being challenged.

## **8.0 CONCLUSION ON THE FIVE-YEAR HOUSING LAND SUPPLY POSITION IN EAST HERTS FOR THE PERIOD 2023/24 TO 2027/28**

- 8.1 The Table below shows the impact of the deletions from the supply proposed in the last section. These deletions are a combination of the lack of evidence to support significantly enhanced completion rates and clear over optimism in terms of lead in times for the Council's Category A sites and takes into account that not all the dwellings defined as being within category A actually benefit from full or reserved matters permission but are actually only subject to outline permission and a lack of clear evidence for many of the Category B sites.
- 8.2 The impact of these changes is to remove some 2,227 dwellings from the supply reducing the land supply to just **3.7 years** using the original SM figure and **4.0 years** using the updated SM figure.

**Table 4. 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				
3/13/0804/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		-46	-46
3/17/2588/OUT	Bishops Stortford Goods Yard, Station Road,		-317	-317
District Plan and Neighbourhood Plan Site Allocations				
BISH6	Bishop's Stortford High School		-223	-223
BISH7	The Goods Yard, Bishop's Stortford		-105	-105
BISH8	The Causeway		-150	-150
	North-West Buntingford		-58	-58
HERT3	West of Hertford (North)		-200	-200
HERT4	North of Hertford (North)		-118	-118
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	4,133	4,133
Five Year land Supply		6.1	3.7	4.0
Over/undersupply		1,155	-1,459	-1,104

## **9.0 CONCLUSION ON THE FIVE-YEAR HOUSING LAND SUPPLY POSITION IN EAST HERTS FOR THE PERIOD 2024/25 TO 2028/29**

- 9.1 The Table below shows the impact of the deletions from the supply proposed in section 7 but for the period starting in 2024/25.
- 9.2 To establish the potential position in accordance with the Council's assumptions this roll forward of the supply uses the Council's trajectory starting at from 2024/25 for the first four years it then assumes that the Council's completion rates for site that have not been completely built out continue in the year 2028/29 (see table in appendix 1). SPRU's assumptions are extended the same way. For completions it assumes that the council predicted the level of completions in 2023/24 correctly.
- 9.3 This supply are added planning permission that have been granted in the last year (if they are category A). There have been no permissions that represent category B sites in the last year. There have been a number of larger applications granted but these are already taken into account as the sites have already been identified in the Council's Position Statement.
- 9.4 The impact of rolling these assumptions forward is a net reduction of some 2,595 dwellings in the supply reducing the land supply to just **3.4 years**.

**Table 5. The five-year housing land supply position in East Herts for the period 20024/25 to 2028/29**

		<b>EHDC 2024/25 using updated Affordability Ratio</b>	<b>SPRU 2024/25 using updated Affordability Ratio</b>
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		-10
3/17/2588/OUT	Bishops Stortford Goods Yard, Station Road,		-266
3/17/0414/REM	Area 3, Land south of Hare Street Road		-66
District Plan and Neighbourhood Plan Site Allocations			
BISH6	Bishop's Stortford High School		-223
BISH7	The Goods Yard, Bishop's Stortford		-105
BISH8	The Causeway		-150
	North-West Buntingford		-58
HERT3	West of Hertford (North)		-300
HERT4	North of Hertford (North)		-118
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
	Walkern Road		0
Adjustments for 2024/25			
Less Estimated Completions in 2023/24 as predicted by the council		-1,164	-1,072
Plus EHDC estimated completions for sites in 2028/29		860	860
Plus new PP		129	129
Supply		6,185	3,682
<b>Five Year land Supply</b>		<b>5.9</b>	<b>3.5</b>



## **10.0 THE DELIVERY OF THE APPEAL SITE**

10.1 I understand that part of the Council's case will be that the site will not make any meaningful contribution to the five year land supply.

10.2 I note that in their response to the council the letter from DLP (CD2.1 03 October 2023 DLP Ref: HA/SN/AL/H258/16P) the appellants did supply a Housing Delivery Statement.

### **a) Housing Delivery Statement**

10.3 This states that the anticipated delivery of the site will be by Countryside Partnerships and Vistry Homes who will deliver both the market and affordable homes. There would be a minimum of two sales outlets. The Housing Delivery Statement anticipated delivery following outline planning permission would be as follows:

- a) Year 1 - Submission and approval of reserved matters.
- b) Year 2 - Discharge of pre-commencement conditions and enabling works
- c) Year 2 - 50 dwellings
- d) Year 3 - 100 dwellings
- e) Year 4 - 100 dwellings
- f) Year 5 - 100 dwellings

10.4 I note that Start to Finish (CD17.20 page) refers to Figure 3.2. as indicating that it takes on average around 3 - 4.6 years from the grant of outline planning permission to deliver the first dwelling. This means at the time of its granting, an outline permission will on average deliver limited amounts of housing within the next five-year period.

10.5 There is additional evidence in this case in that firstly the decision will be accompanied by a signed s106 so the issues regarding viability have been resolved.

10.6 The market and affordable dwellings will be developed by the applicant and their long engagement with the site including previous applications mean that detail layouts have been prepared for the site so the detailed practicalities of securing a layout dwelling mix etc has already been investigated and resolved. This should seriously reduce the time for both the submission of Reserved Matters and start on site.

10.7 With regard to the build out rate I note that this is higher than that suggested by Start to Finish (CD17.20 Table 4.2 page 14) of 49 (mean) or 44 (median), but I also note the 40% affordable housing that is being delivered which can increase build out rates.

10.8 I do not agree that the appeal site will not make a meaningful contribution to future five year land supply calculations.

## 11.0 OVERALL CONCLUSION OF THE FIVE YEAR LAND SUPPLY POSITION

- 11.1 In this evidence I have considered the past delivery of housing in the context of the LP 2018 (CD4.1). This identifies that the policies of that plan have failed to deliver in accordance with the trajectory or the annual housing requirement. I draw two conclusions from this:
- a) The council seriously over estimated both lead in times and build out rates during the examination process of the local plan and that examination failed to adequately test these assumptions against the available evidence.
  - b) The substantial failure of the strategy to deliver the housing requirement as predicted or required renders the strategy and the related constraint policies out of date as they have clearly been overtaken by events (these being the under provision of the housing requirement).
- 11.2 Turning to the present predictions of the council in respect of five year land supply then in the present circumstances of EHDC the NPPF paragraph 77 requires the local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing (as NPPF paragraph 226 do not apply).
- 11.3 EHDC published in March 2024 a five year supply with a base date a year earlier (1<sup>st</sup> April 2023) (CD5.3). It effectively provides evidence of slightly under 4 years from the date of the inquiry. This is an extremely late date for publication and does not appear to be in accordance with the NPPG as it does not provide an indication of whether there are sufficient sites available to meet the housing requirement set out in adopted strategic policies for the next 5 years<sup>21</sup>.
- 11.4 In the Position Statement Addendum (April 2024) (CD5.4) the council seek to update the Housing Requirement without updating the supply.
- 11.5 My evidence critically examines the East Herts 5YHLSPS March 2024 (CD5.3) in the context of the December 2023 NPPF and considers the position as it was at 1st April 2023 and as it was at 1st April 2024. I do this utilising both the standard method as it was at the time of publication and the more recent update.
- 11.6 The council originally claimed 5.6 years supply<sup>22</sup> the utilisation of the updated affordability ratio and the demographic growth for the period 2024 to 2029 reduces the housing requirement and increases the supply to 5.9 years supply. The addition of a further site and a loss of two smaller sites increased the Council's claimed supply increasing the five year figure to 6.1 years (CD5.4).

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<sup>21</sup> NPPG Paragraph: 003 Reference ID: 68-003-20190722

<sup>22</sup> CD5.3 EHDC Five Year Housing Land Position Statement (March 2024)  
*06.12.24.H258.18PS.PoE Five-Year Housing Land Supply*

- 11.7 My evidence has reviewed the Council's assumptions regarding lead in times and build out rate as well as their claimed evidence of delivery and this analysis, applying the test of delivery in the National Planning Policy Framework suggest that there is only a 3.7 and 4.0 years supply for the period starting in 1<sup>st</sup> April 2023 depending upon the date of the Standard Method calculation used.
- 11.8 The differences are due to sites being deleted from the supply because of the lack of evidence to support significantly enhanced completion rates, the clear over optimism in terms of lead in times and delivery rates for the Council's Category A sites, as well as dwellings being incorrectly defined as within category A while only being subject to outline approvals. In addition my analysis suggests a lack of clear evidence of delivery for many of the Category B sites.
- 11.9 Extending the assessment into the current year (adding known consents and subjecting predicted completions) suggest that the five year land supply position will worsen and the land supply will be reducing to just 3.4 years.
- 11.10 In these circumstances where the council cannot demonstrate a five year supply of land then paragraph 11 d of the NPPF should be applied in the decision making process.

## APPENDIX 1: TABLES

Table 6. SCOTT SCHEDULE of EHDC Category A sites and SPRU proposed changes

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	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>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.</p> <p>Falling completion rates over past 4 years and lack of evidence with regard to sites left with 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>
3/21/2339/REM 3/20/0683/REM	ASR 5, Land at Bishop's Stortford North	310	310	264	-46	230	220	-10	<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>

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	Appellant	Difference	Council	Appellant	Difference		
										44 dpa is the median delivery of sites of this size (100 to 499) "Start to Finish"
3/17/2588/OUT	Bishops Stortford Goods Yard, Station Road,	492	492	175	-317	332	0	-266	<p>Completion data and Applicant has confirmed 323 homes completed. 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>Hybrid application 423 dwellings (245 in detail/178 in outline) subject to Ref: 3/22/1613/OUT are to be determined in 2024 in accordance with approved masterplan. Moved To Category B.</p>	<p>The council have agreed that this site now falls within category B.</p> <p>There are 175 dwellings with detailed consent to be delivered under the original hybrid scheme. It is agreed these form part of the supply.</p> <p>The council's figure of 492 to be delivered is the dwellings in the now superseded outline permission.</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>
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 7. Scott Schedule for EHDC Category B sites and SPRU proposed changes**

Planning Application Ref	Address	Total net dwellings proposed	5-Year Supply 2023-2028			5-Year Supply 2024-2029			Council Commentary	Appellant Commentary
			Council	Appellant	Difference	Council	Appellant	Difference		
BISH6	Bishop's Stortford High School	223	223	0	-223		0	-233	<p>Applicant has confirmed that the s106 (for the outline) should be signed by Bellway and other parties within the next 6 weeks.</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 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>There are no permissions on this site.</p> <p>The s106 has not been signed and no RM have yet been submitted</p>
BISH7	The Goods Yard, Bishop's Stortford	105	105	0	-105	105	0	-105	<p>Hybrid application for 423 dwellings (245 in detail/178 in outline) subject to Ref: 3/22/1613/OUT are to be 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>The council have agreed that this site now falls within category B. This 105 relates to the additional number of units in the hybrid application that has yet to be determined. The decision on this relates back to the pleasant position in Category A.</p> <p>There are 175 dwellings with detailed consent to be delivered under the original hybrid scheme. That is 109 in 2023/24 and 66 in 2024/25. It is agreed these form part of the supply.</p> <p>The council's figure of 492 to be delivered is the dwellings in the now superseded outline permission.</p>

Planning Application Ref	Address	Total net dwellings proposed	5-Year Supply 2023-2028			5-Year Supply 2024-2029			Council Commentary	Appellant Commentary
			Council	Appellant	Difference	Council	Appellant	Difference		
									Development in accordance with Approved Masterplan.	<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>
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>
	North-West Buntingford	58	58	0	-58	58	0	-58	<p>Applicant confirms reserved matters to be submitted by the end of 2024.</p> <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>The application 3/22/1030/OUT was granted permission on 19 Mar 2024 there is no RM pending.</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>



Planning Application Ref	Address	Total net dwellings proposed	5-Year Supply 2023-2028			5-Year Supply 2024-2029			Council Commentary	Appellant Commentary
			Council	Appellant	Difference	Council	Appellant	Difference		
									Development subject to approved masterplan and outline planning permission with Redrow development adjacent nearing completion.  Site is easily deliverable within 5 years with no major impediment to its delivery.	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.
HERT3	West of Hertford (North)	342	200	0	-200	300	0	-300	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.  Further work on drainage and highways being carried out by developer/applicant.  RP on board to deliver affordable homes.  Proposals in accord with adopted masterplan.	The outline application for 342 dwellings was approved subject to a s106 at committee on 10th April 2024 with recommendation to approve.  The S106 has not yet finalised.  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).  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.
HERT4	North of Hertford (North)	118	118	0	-118	97	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.  At present undetermined application and outstanding objections.  Not clear evidence of delivery.

Planning Application Ref	Address	Total net dwellings proposed	5-Year Supply 2023-2028			5-Year Supply 2024-2029			Council Commentary	Appellant Commentary
			Council	Appellant	Difference	Council	Appellant	Difference		
WARE2	Land North and East of Ware	1800	75	0	-75	150	0	-150	<p>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.</p> <p>EHDC considers the Position Statement to be an under-estimate of the delivery of homes, but it factors in delays to the process which is pragmatic in this case.</p>	<p>The application 3/22/2406/FUL this actually a Hybrid planning application, comprising of Outline approval for a residential-led mixed-use development for 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 periods being considered in this report</p> <p>This is not clear evidence of delivery.</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>The Outline Application 3/19/1045/OUT is for up to 8,500 dwellings and is still awaiting decision.</p>

Planning Application Ref	Address	Total net dwellings proposed	5-Year Supply 2023-2028			5-Year Supply 2024-2029			Council Commentary	Appellant Commentary
			Council	Appellant	Difference	Council	Appellant	Difference		
									<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 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>Asa 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>The delivery in the Council's 5YHLSPS 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>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>This is not clear evidence of delivery.</p>
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.</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>



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Planning Application Ref	Address	Total net dwellings proposed	5-Year Supply 2023-2028			5-Year Supply 2024-2029			Council Commentary	Appellant Commentary
			Council	Appellant	Difference	Council	Appellant	Difference		
									<p>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>There is an outstanding objection form Essex County Highways.</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. The Council provide no clear evidence that this part of the site will deliver completions in the five year period.</p> <p>The Council have not included a separate trajectory for this part of the site.</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"> <li>o Preparation and submission of formal amendments to planning application</li> <li>o Resolution of outstanding issues with statutory consultees</li> </ul> <p>2025/26:</p> <ul style="list-style-type: none"> <li>o Resolution to grant Outline planning permission</li> <li>o Finalisation of s106 Agreement</li> <li>o Formal grant of Outline permission</li> <li>o Discharge of conditions precedent</li> <li>o Submission of Reserved Matters</li> <li>o Commencement of prior mineral extraction</li> <li>o Commencement of first phase of development</li> </ul> <p>2026/27</p> <ul style="list-style-type: none"> <li>o Approval of Reserved Matters</li> </ul>	<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 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</p>



Strategic Planning Research Unit

Planning Application Ref	Address	Total net dwellings proposed	5-Year Supply 2023-2028			5-Year Supply 2024-2029			Council Commentary	Appellant Commentary
			Council	Appellant	Difference	Council	Appellant	Difference		
									<ul style="list-style-type: none"> <li>o Completion of prior mineral extraction</li> <li>o Completion of the initial 50 residential units (and thereafter as currently projected by EHDC)</li> </ul> <p>Sands and Gravel extraction in a part of the site which will not affect the delivery of housing.</p>	<p>timescale would place completions outside of the Council's five year time frame.</p> <p>This is not clear evidence of delivery.</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)</p> <p>Approved Masterplan has been adopted. Fairview has confirmed updated delivery/construction dates demonstrating delivery within 5 years.</p> <p>No reason why it cannot be included in 5YHS.</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>

**Table 8. EHDC Category A sites and SPRU proposed changes**

Planning Application Ref	Address	Total net dwellings proposed	Total net completions to date	Total Residual	Council							Appellant							Difference				
					2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	Total 2023-2028	Total 2024-2029	2023/24 (est)	2024/25	2025/26	2026/27	2027/28	2028/29	Total 2023-2028	Total 2024-2029	Total 2023-2028	Total 2024-2029	
3/21/110 0/REM 3/21/205 4/VAR	Land south of Hadham Road Bishop's Stortford	243	111	132	32	100						132	100	81	51					132	0	51	-49
3/13/080 4/OP	ASR's 1-4 Land at Bishop's Stortford North	1633	260	260	260	260	260	260	260	260	1300	1300	140	140	140	140	140	140	700	700	-600	-600	
3/21/233 9/REM 3/20/068 3/REM	ASR 5, Land at Bishop's Stortford North	529	219	310	80	80	80	70			310	230	44	44	44	44	44	44	264	220	-46	-10	
3/17/258 8/OUT	Bishops Stortford Goods Yard, Station Road,	641	149	492	160	132	100	100			492	332	109	66					175	0	-317	-266	
3/17/041 4/REM	Area 3, Land south of Hare Street Road	81	0	81	15	40	26				81	66	81						81	0	0	-66	

**Table 9. EHDC Category B sites and SPRU proposed changes**

Planning Application Ref	Address	Total net dwellings proposed	Total Residual	Council								Appellant						Difference		
				2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	Total 2023-2028	Total 2024-2029	2023/24 (est)	2024/25	2025/26	2026/27	2027/28	2028/29	Total 2023-2028	Total 2024-2029	Total 2023-2028
BISH6	Bishop's Stortford High School	223	223							223	223	0					0	0	-223	-223
BISH7	The Goods Yard, Bishop's Stortford	105	105					105		105	105	0					0	0	-105	-105
BISH8	The Causeway	150	150				150			150	150	0					0	0	-150	-150
	North-West Buntingford	58	58			20	38			58	58	0					0	0	-58	-58
HERT3	West of Hertford (North)	342	342				100	100	100	200	300	0					0	0	-200	-300
HERT4	North of Hertford (North)	118	118			21	49	48		118	118	0	0	0	0	0	0	0	-118	-118
WARE2	Land North and East of Ware	1800	1800					75	75	75	150	0					0	0	-75	-150
GA1	The Gilston Area	5550	5550					100	100	100	300	0					0	0	-100	-200
GA1	Gilston Village 7 Land Off Church Lane	1500	1500					50	50	50	100	0					0	0	-50	-100
EWEL1	Land East of Welwyn GC	1350	1350				50	75	75	125	200	0					0	0	-125	-200
	Walkern Road	60	60			40	20			60	60	0				60	0	60	-60	0



**Table 10. New applications 2023/24 already included in the Land Supply**

ref	title	address	type	decision	Decision date	Date received	Dwellings	
3/23/1917/VAR	Reserved matters (appearance, landscaping, layout and scale) pursuant to outline planning permission 3/19/0118/OUT for the erection of 253 dwellings (on parts of the site known as phase 1 North and phase 1 South): planning permission ref: 3/21/2939/REM: Variation of Condition 1 (approved plans): changes in levels, remodelling of the Bund and alterations to landscaping.	Land East Of Stevenage (EOS1) Gresley Way Stevenage	Variation of condition	Grant Plan Permission w Conds	06/12/2023	10/10/2023	253	Already included in supply 3/19/0118/OUT
3/22/2608/REM	Approval of reserved matters for, access, appearance, landscaping, layout and scale for planning approval 3/19/0118/OUT (Hybrid planning application seeking: Outline planning permission for the erection of up to 618 homes, primary and pre-school, up to 80 bed care home and up to 50 assisted living homes (C2 Use), neighbourhood hub comprising shops (up to 658 sqm of A1-A5 uses), community facilities (up to 400 sqm of D1 use), Travelling Show people site, public open space, landscaping, drainage infrastructure, all associated and ancillary development. Detailed planning permission for construction of the spine road, site accesses, drainage infrastructure and ancillary works) Construction of a sub-station and access road to serve the Care provision.	Land East Of Stevenage (EOS1) Gresley Way Stevenage	Approval of Reserved Matters	Grant Approval of Details (Reserv Mats)	04/05/2023	14/12/2022	748	Already included in supply 3/19/0118/OUT
3/22/2383/NMA	A non-material amendment of 3/19/0118/OUT - To amend the split of units associated with the 130 Class C2 care home and assisted living homes accommodation units from the approved '80 care beds and 50 assisted living homes' to '66 bed care home and up to 64 assisted living homes'.	Land East Of Stevenage (EOS1) Gresley Way Stevenage	App for Non-Material Amendments	Grant NMA	09/02/2023	11/11/2022	310	Already included in supply 3/19/0118/OUT
3/23/0613/REM	Reserved matters application relating to the layout, scale, appearance and landscaping of 76 dwellings, associated works, a sub-station and a pumping station to be provided in Parcel A in the Eastern Neighbourhood, Stortford Fields, together with an attenuation basin in Farnham Bourne Park, following approval of 3/22/0214/VAR (formerly outline planning permission 3/13/0804/OP).	Parcel A Land At Bishop's Stortford North Bishops Stortford Hertfordshire CM23 1JL	Approval of Reserved Matters	Grant Approval of Details (Reserv Mats)	15/02/2024	27/03/2023	76	Already included in supply 3/13/0804/OP
3/22/2158/VAR	Development of 200 homes with associated access, landscaping, parking, private amenity space, public open space and allotments. Variation of condition 2 (approved plans) of planning permission: 3/18/1523/FUL - Incorporation of a 3 metre deep landscape buffer into the garden of plots 16-24.	(SAWB3) Land At Chalks Farm South Of West Road Sawbridgeworth Hertfordshire	Variation of condition	Grant Plan Permission w Conds	09/06/2023	12/10/2022	200	Already included in supply 3/18/1523/FUL
3/22/1704/REM	Approval of reserved matters (layout, scale, appearance and landscaping) for Parcel G1 (a), (b) and (d) of planning permission 3/21/1749/VAR comprising 124 residential dwellings (Use Class C3) and associated works.	Parcel G1 (A), (B) And (D) Land At Bishops Stortford South (BISH5) Off Whittington Way	Approval of Reserved Matters	Grant Approval of Details (Reserv Mats)	10/02/2023	10/08/2022	124	Already included in supply 3/18/2253/OUT



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ref	title	address	type	decision	Decision date	Date received	Dwellings	
		Bishops Stortford Hertfordshire						
3/22/1030/OUT	Outline planning application with all matters reserved except access for the erection of up to 58 dwellings, amenity space, landscaping and all associated infrastructure.	Land To The North-west Of Buntingford (East Of The A10) Located Off Neale Drive And Phillips Way Buntingford Hertfordshire	Outline Application	Grant Plan Permission w Conds	19/03/2024	16/05/2022	58	Already included in supply 3/22/1030/OUT
3/22/2594/REM	Reserved matters consent following outline planning permission 3/13/0804/OP to provide 34 new homes on Site U	Parcel U Land At Bishops Stortford North, Bishops Stortford Hertfordshire	Approval of Reserved Matters	Grant Approval of Details (Reserv Mats)	04/08/2023	13/12/2022	34	Already included in supply 3/13/0804/OP

**Table 11. New applications 2023/24 not included in the Land Supply**

ref	title	address	type	decision	Decision date	Date received	No of dwellings
3/22/1429/FUL	Conversion of barn to a two bedroom single storey detached residential dwelling with garage and outbuilding. Alterations to fenestration and installation of additional windows and openings.	Home Farm Chapel Lane Little Hadham Ware Hertfordshire SG11 2AB	Full Application	Grant Plan Permission w Conds	06/04/2023	05/07/2022	2
3/22/2403/FUL	Change of use from Class E to Class C3 to form 3 residential units. First floor rear extension. Alterations to ground and first floor rear fenestrations. Partial retention of existing frontage ground floor commercial space.	35 - 37 Bell Street Sawbridgeworth Hertfordshire CM21 9AR	Full Application	Grant Plan Permission w Conds	12/04/2023	15/11/2022	3
3/23/0046/FUL	Demolition of agricultural buildings. Change of use of land and the erection of 2, 3 bedroomed dwellings with associated landscaping and parking.	Moles Farm Thundridge Hertfordshire SG12 0UG	Full Application	Grant Plan Permission w Conds	14/04/2023	12/01/2023	2
3/22/2237/FUL	Redevelopment of previously developed land consisting of the demolition of an existing helicopter hanger, and erection of 1no. detached dwellinghouse, with associated access, parking, residential curtilage and landscaping.	Labdens House Colliers End Ware Hertfordshire SG11 1EN	Full Application	Grant Plan Permission w Conds	19/04/2023	25/10/2022	1
3/23/0369/FUL	Change of use of building from office to part office, part residential, creating one 3-bedroom dwelling and one 2-bedroom flat. Erection of single and two storey rear extensions, creation of lobby area to front and alterations to fenestration.	16 Church Street Bishops Stortford Hertfordshire CM23 2LY	Full Application	Grant Plan Permission w Conds	24/04/2023	27/02/2023	2
3/22/1764/FUL	Demolition of dwelling and outbuilding and erection of 1, 4 bedroomed dwelling	Rowney Bois High Wych Road Sawbridgeworth Hertfordshire CM21 0HH	Full Application	Grant Plan Permission w Conds	24/04/2023	18/08/2022	1
3/22/2405/FUL	Separate existing dwelling to form two separate three bedroom dwellings. Insertion of two rear elevation roof light windows. Replacement of side elevation door.	The Old Hay Barn Back Lane Tewin Welwyn Hertfordshire AL6 0LS	Full Application	Grant Plan Permission w Conds	27/04/2023	15/11/2022	2

ref	title	address	type	decision	Decision date	Date received	No of dwellings
3/23/0158/FUL	Change of use of land and erection of 4 bedroom detached dwelling	Land Adjacent To North View Violets Lane Furneux Pelham Buntingford Hertfordshire SG9 0LF	Full Application	Grant Plan Permission w Conds	28/04/2023	27/01/2023	4
3/23/0492/FUL	Demolition of existing domestic storage building and stables. Construction of single storey front and side extensions and conversion of an existing detached garage into 1 self contained independent dwelling with 3 off street car parking spaces and new gated entrance.	Mill End Farmhouse Mill End Standon Ware Hertfordshire SG11 1LR	Full Application	Grant Plan Permission w Conds	09/05/2023	13/03/2023	1
3/22/1371/FUL	Change of use of part of the restaurant into use class C3 for one 2 bedroom dwelling. Change the first floor warehouse doors into a glassed window.	14 High Street Ware Hertfordshire SG12 9BX	Full Application	Grant Plan Permission w Conds	16/05/2023	30/06/2022	1
3/22/2204/FUL	Erection of 1, 3 bedroomed dwelling to include basement, landscaping and access	Rear Of 18-20 Gypsy Lane Great Amwell Ware Hertfordshire SG12 9RN	Full Application	Grant Plan Permission w Conds	01/06/2023	19/10/2022	1
3/23/0556/FUL	Demolition of side and rear extensions. Erection of a single storey rear extension and creation of 1, three bedroomed dwelling with associated access and landscaping	2 Abbottsfield Cottages Fanhams Hall Road Wareside Ware Hertfordshire SG12 7RY	Full Application	Grant Plan Permission w Conds	15/06/2023	21/03/2023	1
3/22/2119/FUL	Demolition of outbuilding. Erection of a two storey dwelling. Extension of dropped kerb	30 Queens Crescent Bishops Stortford Hertfordshire CM23 3RR	Full Application	Grant Plan Permission w Conds	16/06/2023	07/10/2022	2
3/23/0223/FUL	Change of use of ancillary accommodation to 1 dwelling, single storey extension to North-West elevation, new ground floor windows and doors on North-West elevation.	Pomarium Ware Park Ware Hertfordshire SG12 0DX	Full Application	Grant Plan Permission w Conds	22/06/2023	06/02/2023	1
3/23/0811/FUL	Removal of chimney. Construction of single storey rear extension, three storey and part single storey side extension and second floor rear extension to form 2 one bedroom flats and 2 two bedroom flats., New side dormer with second floor side window, insert rooflight	132 London Road Bishops Stortford Hertfordshire CM23 3LQ	Full Application	Grant Plan Permission w Conds	30/06/2023	25/04/2023	4

ref	title	address	type	decision	Decision date	Date received	No of dwellings
	windows. New boundary brick wall, brick piers and steel railings. New boundary fence, gate and bin store.						
3/22/2641/FUL	Erection of one, two storey, three bedroom dwelling with attached double garage	4 Bury Lane Datchworth Hertfordshire SG3 6ST	Full Application	Grant Plan Permission w Conds	06/07/2023	19/12/2022	1
3/22/2243/FUL	Demolition of domestic stable block buildings. Erection of 3 dwellings together with access, landscaping.	Bockings 12 Church End Walkern Stevenage Hertfordshire SG2 7PB	Full Application	Grant Plan Permission w Conds	06/07/2023	25/10/2022	3
3/23/0905/FUL	Separate existing dwelling to form two separate three bedroom dwellings. Insertion of two rear small dormer windows. Replacement of side elevation door.	The Old Hay Barn Back Lane Tewin Welwyn Hertfordshire AL6 0LS	Full Application	Grant Plan Permission w Conds	10/07/2023	09/05/2023	2
3/23/1015/FUL	Demolition of existing garage, timber shed and greenhouse. Erection of 1 dwelling, with detached cycle store and associated landscaping	56 Green End Braughing Ware Hertfordshire SG11 2PQ	Full Application	Grant Plan Permission w Conds	20/07/2023	24/05/2023	1
3/23/1099/FUL	Conversion of existing dwelling into one three bedroom dwelling and one two bedroom dwelling, with the erection of a rear single storey extension and new additional windows and rooflights to the existing dwelling.	15C St Andrew Street Hertford Hertfordshire SG14 1HZ	Full Application	Grant Plan Permission w Conds	02/08/2023	07/06/2023	2
3/23/0978/FUL	Subdivision of existing two storey dwelling and roof extension to include raising of ridge height and insertion of front dormers to create 1 x 1 bedroom and 2 x 2 bedroom residential units. Insertion of two doors to side elevation and reduction of first floor side window. Insertion of Juliet balcony to second floor rear elevation	60 High Street Stanstead Abbots Ware Hertfordshire SG12 8AG	Full Application	Grant Plan Permission w Conds	03/08/2023	19/05/2023	3
3/22/2135/FUL	Demolition of garages. Erection of 5 residential dwellings with associated car parking, cycle storage, refuse storage, amenity space and landscaping.	Garages At Chapelfields Stanstead Abbots Hertfordshire SG12 8HX	Full Application	Grant Plan Permission w Conds	10/08/2023	10/10/2022	5

ref	title	address	type	decision	Decision date	Date received	No of dwellings
3/22/1580/FUL	Demolition of dwelling. Erection of 2 dwelling with associated parking and landscaping and relocation of dropped kerb	Redrick House Hampton Gardens Sawbridgeworth Hertfordshire CM21 0AN	Full Application	Grant Plan Permission w Conds	11/08/2023	25/07/2022	2
3/23/1057/FUL	Erection of a 4 bedroom detached dwelling with detached cycle store, associated parking, rear garden fence line and landscaping.	181 Musley Hill Ware Hertfordshire SG12 7NR	Full Application	Grant Plan Permission w Conds	15/08/2023	01/06/2023	4
3/22/1718/FUL	Demolition of existing bungalow and erection of replacement dwelling with associated landscaping and parking.	Bury Bungalow 282 Hertingfordbury Road Hertford Hertfordshire SG14 2LG	Full Application	Grant Plan Permission w Conds	16/08/2023	15/08/2022	0
3/22/1717/FUL	Demolition of buildings. Erection of 2 dwelling houses with associated landscaping and parking.	Bury Bungalow 282 Hertingfordbury Road Hertford Hertfordshire SG14 2LG	Full Application	Grant Plan Permission w Conds	16/08/2023	15/08/2022	2
3/23/0592/FUL	Change of use from existing equestrian buildings to create two 2 bedroom, two-storey residential dwellings. Alterations to fenestration and openings. Extension to rear with terrace at first floor. Creation of car-parking and landscaping.	Farthing Hall Stables Cole Green Hertford Hertfordshire SG14 2NL	Full Application	Grant Plan Permission w Conds	25/08/2023	24/03/2023	2
3/23/0423/FUL	Demolition of outbuilding, greenhouse and lean to. Part demolition of garage. Conversion of 2 dwellings to 1 dwelling. Alterations to garage to create outbuilding/home office, alterations to barn to create annexe. replacement of window cills, repairs to roof, replacement of fascias, replacement of render, replacement of glazed doors for windows and insertion of secondary glazing. Landscaping to include drainage works, new front gate.	1-3 Ash Cottage Albury Road Little Hadham Ware Hertfordshire SG11 2DQ	Full Application	Grant Plan Permission w Conds	15/09/2023	06/03/2023	-1
3/23/1405/FUL	Erection of detached five bedroom two-storey dwelling with swimming pool and associated landscaping works.	Tarrandune Wellpond Green Standon Ware Hertfordshire SG11 1NJ	Full Application	Grant Plan Permission w Conds	18/09/2023	20/07/2023	1

ref	title	address	type	decision	Decision date	Date received	No of dwellings
3/23/1465/FUL	Change of use from Use Class: E (Commercial, Business & Service) to Use Class: C3 (Residential) to create 1 x 1-bedroom dwelling and 1 x 2-bedroom dwelling, together with creation of new entrance on southern elevation and alteration to existing entrance on eastern elevation	24 Hockerill Court London Road Bishops Stortford Hertfordshire CM23 5SB	Full Application	Grant Plan Permission w Conds	25/09/2023	31/07/2023	2
3/22/2706/FUL	Erection of 6 dwellings. Conversion of barn to create 1, 2 bed dwelling with, access, parking, bin storage, and turning facilities. Alterations to car park and forecourt area.	10 Benington Road Aston Stevenage Hertfordshire SG2 7DX	Full Application	Grant Plan Permission w Conds	03/10/2023	28/12/2022	6
3/22/2294/FUL	Erection of five bedroom detached two-storey dwelling with basement; garage/ car port and car-parking spaces; two outbuildings; swimming pool; tennis court; and landscaping.	Albury Walled Garden Albury Hall Albury Hertfordshire SG11 2HX	Full Application	Grant Plan Permission w Conds	06/10/2023	31/10/2022	1
3/22/1947/FUL	Demolition of cart lodge. Erection of a 3-bed dwellinghouse to included SV panels to front roof slope, formation of parking area and installation of entrance gates. Alterations to stables outbuilding. Installation of air-source heat pump.	Land Adjacent To Ashford House The Ford Chapel Lane Little Hadham Ware Hertfordshire SG11 2AX	Full Application	Grant Plan Permission w Conds	13/10/2023	14/09/2022	1
3/23/0789/FUL	New 4 bedroom dwelling on the south-west of Vale Cottage with new vehicle access.	Vale Cottage 3 London Road Sawbridgeworth Hertfordshire CM21 9EH	Full Application	Grant Plan Permission w Conds	19/10/2023	21/04/2023	1
3/23/1686/FUL	Demolition of dwelling and erection of replacement four bedroom detached dwelling.	Bailiffs Cottage 5 Benington Park Farm Benington Park Benington Hertfordshire SG2 7BU	Full Application	Grant Plan Permission w Conds	27/10/2023	01/09/2023	1
3/22/2134/FUL	Demolition of garage and erection of 2 residential dwellings with associated car parking, cycle storage, refuse storage, amenity space and landscaping. Installation of gates and signage	Garages At Fanhams Road Ware Hertfordshire	Full Application	Grant Plan Permission w Conds	01/11/2023	10/10/2022	2
3/23/1806/COMP	Change of use of part of the ground floor and the full first and second floors from a bank (which has closed) to use class C3 for 3 residential dwellings (whilst partially retaining a ground floor shop), creating two	36 Fore Street Hertford Hertfordshire SG14 1BS	Commercial Class E to Dwellinghouses	Prior Approval Req/Grant with Conditions	14/11/2023	25/09/2023	3



ref	title	address	type	decision	Decision date	Date received	No of dwellings
	1 bedroom flats over the ground (rear) and first floors, and one 2 bedroom flat over the first and second floors.						
3/23/1685/FUL	Demolition of existing dwelling and erection of new building containing 4no. flats.	17 Castle Street Bishops Stortford Hertfordshire CM23 3TG	Full Application	Grant Plan Permission w Conds	24/11/2023	01/09/2023	4
3/23/1881/FUL	Demolition of existing buildings, construction of 5 x 3-bedroom chalet bungalows, access road, landscaping and supporting infrastructure.	Prestwick Ermine Street Buntingford Hertfordshire SG9 9RT	Full Application	Grant Plan Permission w Conds	28/11/2023	03/10/2023	5
3/23/1689/FUL	Demolition of existing bungalow and erection of two storey 5 bed dwelling and garage	68 Whempstead Road Benington Stevenage Hertfordshire SG2 7DE	Full Application	Grant Plan Permission w Conds	29/11/2023	04/09/2023	1
3/23/1402/FUL	Erection of 2no. two bed and 2no. three bed semi-detached dwellings, together with new access, associated car parking and landscaping works.	Storage Land At Elbow Lane And Rear Of 2 London Road Hertford Heath Hertford Hertfordshire SG13 7RH	Full Application	Grant Plan Permission w Conds	06/12/2023	20/07/2023	2
3/22/2133/FUL	Demolition of garages. Erection of 3 residential dwellings with associated car parking, cycle storage, refuse storage, amenity space and landscaping.	Garages At Lower Bourne Gardens Ware Hertfordshire SG12 0BJ	Full Application	Grant Plan Permission w Conds	06/12/2023	10/10/2022	3
3/22/2420/FUL	Change of use of office to 3 residential apartments. Insertion of two rear roof lights windows.	The Gatehouse 2 Hadham Hall Little Hadham Hertfordshire SG11 2EB	Full Application	Grant Plan Permission w Conds	12/12/2023	17/11/2022	3
3/22/1575/FUL	Construction of three, two-storey houses, together with the creation of new vehicular and pedestrian access way and 10 car parking spaces (revised).	Land To The Rear Of Dovedale Ware Hertfordshire SG12 0XL	Full Application	Grant Plan Permission w Conds	13/12/2023	22/07/2022	3

ref	title	address	type	decision	Decision date	Date received	No of dwellings
3/23/1878/FUL	Erection of two detached five bedroom dwellings with attached garage and air source heat pumps. Creation of associated parking, landscaping and access from Welwyn Road.	Land At 24 Calton Avenue Hertford Hertfordshire SG14 2ER	Full Application	Grant Plan Permission w Conds	20/12/2023	03/10/2023	2
3/23/1510/FUL	Demolition of workshop and erection of three, 3 bedroom, two-storey terraced dwellings with parking and amenity space.	36 Stanstead Road Hertford Hertfordshire SG13 7HY	Full Application	Grant Plan Permission w Conds	27/12/2023	04/08/2023	3
3/23/1771/FUL	Erection of 1 two storey dwelling with creation of access, associated parking and landscaping.	70A Stevenage Road Walkern Hertfordshire SG2 7NE	Full Application	Grant Plan Permission w Conds	08/01/2024	18/09/2023	1
3/23/1872/FUL	Change of use and conversion of barns to 3 residential dwellings including the creation of new window and door openings, erection of ancillary cart lodge structures, solar array and air source heat pumps, following demolition of other farm buildings and structures	Mardocks Farm Wareside Ware Hertfordshire SG12 7QN	Full Application	Grant Plan Permission w Conds	11/01/2024	02/10/2023	3
3/23/2032/FUL	Erection of 1 x detached dwelling (2-bedrooms), together with creation of parking area, provision of retaining wall with external steps and landscaping works	Halfway House Farm Stanstead Road Hunsdon Hertfordshire SG12 8PU	Full Application	Grant Plan Permission w Conds	12/01/2024	24/10/2023	1
3/23/1329/FUL	Demolition of outbuildings, erection of 2, two bedroomed dwellings, 3, three bedroomed dwellings and 2 four bedroomed dwellings, conversion of barn to dwelling. Change of use of Long Barn from Cafe/Retail (Class E) to ancillary residential use. Erection of new use class E building. Part demolition and reconstruction of front wall, with associated landscaping, parking and provision of access road (re-submission of 3/20/2375/FUL).	Hopleys High Street Much Hadham Hertfordshire SG10 6BU	Full Application	Grant Plan Permission w Conds	12/01/2024	12/07/2023	7
3/23/1896/FUL	Change of use and conversion of agricultural barn to form 2 residential dwellings. Insertion of mezzanine floor and alterations to fenestration. Insertion of 18 skylight windows. Parking and amenity areas.	Cole Green Barn St Mary's Lane Hertingfordbury Hertford SG14 2LF	Full Application	Grant Plan Permission w Conds	23/01/2024	06/10/2023	2
3/23/2216/FUL	Demolition of garage. Erection of 1, 4 bedroomed dwelling, incorporating solar panels and air source heat pump and associated parking and landscaping works.	34 Hertford Road Great Amwell Hertfordshire SG12 9RX	Full Application	Grant Plan Permission w Conds	24/01/2024	22/11/2023	1

ref	title	address	type	decision	Decision date	Date received	No of dwellings
3/23/2334/FUL	Retention of existing 4 bedroom detached dwelling (omission of the basement level and open light wells that were approved under planning permission 3/19/2065/FUL but not constructed, and with addition of 2 rear dormers and rooflight windows).	35 Burnham Green Road Burnham Green Hertfordshire AL6 0NL	Full Application	Grant Plan Permission w Conds	30/01/2024	05/12/2023	1
3/23/2175/FUL	Demolition of bungalow and detached garage. Construction of a replacement two storey larger family home with a first floor rear facing juliet balcony, and a triple detached garage with first floor above and 3 dormers.	Seven Pines Margery Lane Tewin Hertfordshire AL6 0JP	Full Application	Grant Plan Permission w Conds	01/02/2024	14/11/2023	0
3/23/1349/FUL	Conversion of stables/barn into two bedroom dwelling; installation of new windows, doors and roof lights; landscaping and provision of two car-parking spaces.	The Old Rectory Churchfield Road Tewin Welwyn Hertfordshire AL6 0JN	Full Application	Grant Plan Permission w Conds	02/02/2024	13/07/2023	1
3/23/1200/FUL	Removal and replacement of stables. Erection of a detached 3 bedroom dwelling with associated parking, cycle store building and landscaping.	Land Between Hawthorn House And Dane House Hall Lane Great Hornead Hertfordshire SG9 0NZ	Full Application	Grant Plan Permission w Conds	02/02/2024	23/06/2023	1
3/23/2340/FUL	Demolition of existing bungalow; erection of two detached, five bedroom dwellings with garages, car-parking and landscaping; installation of solar roof panels; chimneys and external BBQ area for Plot 1.	Christys Albury End Albury Hertfordshire SG11 2HS	Full Application	Grant Plan Permission w Conds	07/02/2024	05/12/2023	2
3/23/1221/FUL	Part retrospective demolition of 4 chalet bungalows. Erection of 7 affordable rent and shared ownership homes (5 three bedroom houses and 2 two bedroom bungalows) with new gardens, tree planting, air source heat pumps, hard and soft landscaping and associated parking.	1 - 4 Peasecroft Cottered Hertfordshire SG9 9QS	Full Application	Grant Plan Permission w Conds	09/02/2024	26/06/2023	3
3/23/2272/FUL	Demolition of detached dwelling, erection of new detached 4 bedroom dwelling, associated landscaping and new vehicular access.	Quinbury Farm Cottage Hay Street Braughing Hertfordshire SG11 2RE	Full Application	Grant Plan Permission w Conds	19/02/2024	29/11/2023	1

ref	title	address	type	decision	Decision date	Date received	No of dwellings
3/23/2146/FUL	Change of use and conversion of public house to create 2 dwellings, including the erection of a first floor rear extension, external alterations, and the provision of bike and bin storage. Removal of stairs to basement and replace with access hatch. Application for amendments to approval 3/21/0115/FUL	30 - 32 Port Vale Hertford Hertfordshire SG14 3AB	Full Application	Grant Plan Permission w Conds	28/02/2024	10/11/2023	2
3/23/2132/FUL	Loft conversion, incorporating hip to gable and rear glazed juliet balcony, to create a 1 bedroom dwelling over existing retail unit. Construction of refuse and cycle store.	21 Ware Road Hertford Hertfordshire SG13 7EB	Full Application	Grant Plan Permission w Conds	08/03/2024	08/11/2023	1
3/22/1215/FUL	Construction of 1 detached agricultural workers dwelling, with 2 off-street car parking spaces and new vehicle access on to Ducketts Lane.	Ducketts Farm Ducketts Lane Green Tye Hertfordshire SG10 6JW	Full Application	Grant Plan Permission w Conds	21/03/2024	10/06/2022	1
3/24/0074/FUL	Removal of bin store structure. Construction of 2 new dwellings incorporating a first floor balcony and glazed projecting bay, solar panels, ground floor bin store areas, private amenity space, new vehicular bi folding gate and cycle parking.	Dimsdale Yard 80 Fore Street Hertford Hertfordshire SG14 1BY	Full Application	Grant Plan Permission w Conds	25/03/2024	15/01/2024	2
3/23/1724/FUL	Change of use from office (B1 (a) to residential to create 1, 3 bedroomed dwelling	23 Hockerill Court London Road Bishops Stortford Hertfordshire CM23 5SB	Full Application	Grant Plan Permission w Conds	26/03/2024	08/09/2023	1

**Table 12. Predicted completions for the period 2028/29 based on EHDC assumptions**

Reference	Site name	EHDC predicted completions 2028/29
3/13/0804/OP	ASR's 1-4 Land at Bishop's Stortford North	260
3/18/2253/OUT	Land At Bishops Stortford South (BISH5) Off, Whittington Way	100
3/19/0118/OUT; 3/21/2939/REM	Land East Of Stevenage, (EOS1) Gresley Way,	100
HERT3	West of Hertford (North)	100
WARE2	Land North and East of Ware	75
GA1	The Gilston Area	150
EWEL1	Land East of Welwyn GC	75
Total		860





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