

# BRIEFING NOTE

<b>Project:</b>	Land at Stoke Road, Leighton Linlade
<b>Client:</b>	Bloor Homes
<b>File Ref:</b>	BLOA1009
<b>Date:</b>	19 June 2009
<b>Subject</b>	Summary Note

This note has been prepared by Turley Associates on behalf of our clients, Bloor Homes, to provide a summary of the key issues relating to the current outline planning application for the development of land at Stoke Road, Leighton Linlade.

The delivery of housing, including affordable housing, is a key Government priority to be achieved through the planning system. National planning policy guidance, as contained in PPS3, therefore sets specific obligations for Local Planning Authorities to achieve the effective and timely delivery of necessary new housing.

The housing requirement for Central Bedfordshire (and the wider Growth Area) is set out in the adopted Regional Spatial Strategy (RSS) for the region (the East of England Plan and the Milton Keynes and South Midlands Sub Regional Strategy (MKSMSRS)). The adopted RSS requires the delivery of 26,300 dwellings in Luton, Dunstable, Houghton Regis and Leighton Linlade during the plan period (to 2021). The East of England Plan also identifies the need for a further 1,000 dwellings in the rest of the former South Bedfordshire area during the period to 2021.

It is recognised that in order to meet the requirements set out in the adopted RSS, development will need to take place on green belt land. The MKSMSRS makes it clear that, to achieve this, a comprehensive review of the green belt designation and boundary is required (this includes a specific reference to the designated green belt around Leighton Linlade).

Paragraph 57 of PPS3 requires Local Planning Authorities (LPAs) to manage land in such a way that ensures a continuous five year supply of deliverable sites for housing – e.g. there should be at least enough sites to deliver the housing requirements over the next five years of the housing trajectory. To be deliverable sites should be: available now, be suitable for residential development and achievable within five years.

The onus falls on the LPA to demonstrate a five year land supply and in doing so to ensure that their judgements are clearly and transparently set out. The Council's SHLAA was published in April 2009 and concludes that there is currently a shortfall in housing delivery and that subsequently there is **not** a five year land supply.

We have also undertaken our own detailed assessment of the sites included in the Council's housing trajectory, which indicates that the situation is in fact significantly worse than estimated in the SHLAA. At the time of submission (March 2009) our own assessment demonstrated that there is currently a housing land supply of less than 3.8 years. Since this date, our own market assessment has indicated that a number of sites which were included in our original five year land supply calculations are no longer considered deliverable within the necessary timeframe. This is supported by the Council's own SHLAA, which sees a number of sites completely removed from the five year land supply (including 800 units at Power Court, 124 at the Mall Extension, 58 at 39-51 John Street and 156 at Caleb Close).

Paragraph 71 of PPS3 clearly states that where LPAs cannot demonstrate an up-to-date five year supply of deliverable sites, they should consider favourably planning applications for housing having regard to the policies in PPS3 (including specifically the considerations set out at Paragraph 69).

The suite of technical documents submitted in support of this application demonstrates that the proposals would accord with the advice set out in Paragraph 69 of PPS3. This includes achieving high quality housing; ensuring developments achieve a good mix of housing; the suitability of a site for housing (including its environmental sustainability); using land effectively and efficiently; and ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives.

Recent appeal decisions, relating to other sites within the green belt, also demonstrate that where an RSS requires a green belt review on the edge of the identified settlement (as in the case of the East of England Plan and the MKSMSRS) and there is a lack of a five year land supply (as demonstrated by the Council's SHLAA and our Planning Supporting Statement), there is a presumption in favour of residential development. These appeals are considered in more detail in the Planning Supporting Statement submitted as part of this application.

On this basis, having regard to the lack of a five year land supply, there is a presumption in favour of granting planning permission subject to other material considerations.

### **Benefits Associated with the Development (Very Special Circumstances)**

A summary of the main benefits associated with the proposed development is set out below.

As stated above, the Council is unable to demonstrate a continuous five year supply of deliverable sites for housing in the Growth Area (as per the requirements of PPS3). The proposed development will provide up to 199 dwellings, which will be delivered in full within five years of outline permission being granted. The scheme would therefore make a valuable contribution towards reducing the current deficiency in the five year land supply.

The site is suitable for residential development, achievable within five years and available now – and is therefore considered deliverable in line with the requirements of PPS3. The site will not be affected by the current downturn in the industry given that:

- there are no major infrastructure or remediation costs that will prevent early delivery of house completions, unlike the case of the strategic urban extensions;
- there are no technical constraints to development;
- all of the land within the redline area is in single ownership;
- the development is an appropriate dwelling mix with no flats proposed (with the exception of one FOG and some maisonettes); and
- the nature of the option agreement enables the land cost to be determined by the prevailing market rates at the time of consent unlike the circumstances of many of the committed sites referred to in the SHLAA. A number of these sites were acquired at historic land values when the market was at its peak and comprise apartments where there is little or no prospect of developers undertaking the schemes in the near future.

Ultimately the site is considered to be the right product in the right place by Bloor Homes who remain committed to building the scheme within five years of outline permission being granted.

The proposed development would also deliver up to 69 affordable housing units, which would help to reduce the existing shortfall in provision. The affordable housing mix has also been agreed with the Council's Housing Officer to ensure that it meets the specific needs of Leighton Linlade. The Council's Housing Requirement Study states that there is a need for 199 affordable homes per year up to 2010. However, between April 2005 and the end of March 2008 only 285 affordable homes were completed against a requirement of 597. For the period of 1 April 2007 to 31 July 2007 there in fact only 49 affordable homes completed for the whole of the South Bedfordshire district (now part of Central Bedfordshire).

The application proposes up to 199 dwellings and is therefore not deemed to be a strategic urban extension. A development of this scale and nature would not prejudice the achievement of the policy objectives for the Growth Area. Given that the proposal is not of a strategic size it would also not have a negative impact on, or compete with, the delivery of the urban extensions proposed through the emerging Core Strategy. It would, however, make a valuable contribution towards meeting the housing requirements of the Growth Area over the next five years.

The scheme would also provide a number of wider benefits for both new residents and the wider community, including:

- The provision of up to 130 market dwellings and up to 69 affordable dwellings;
- 7.3 hectares of open space, which will link Linlade Wood, the Grand Union Canal and the River Ouzel Valley to provide a key strategic corridor in the wider 'Green Wheel';
- Enhanced public transport provision for the benefit of new residents and the wider community alike (which is likely to include an extended bus service to the town centre and new bus stops);

- New, and improved, cycle and pedestrian links within both the site itself and to the surrounding area;
- Financial contributions towards significant accessibility enhancements, which include the resurfacing of part of Bossington Lane, improvements to Linslade Wood, and a financial contribution towards the refurbishment of the existing swing bridge over the Grand Union Canal (or towards a new footbridge);
- The provision of a temporary community house, together with a contribution towards the annual running costs;
- A financial contribution towards education provision;
- A financial contribution towards the provision of public art in the vicinity of the site;
- A minimum sustainable standard of Code Level 3 with 10% of the site's energy will be delivered from renewable sources;
- Enhanced habitat creation, arboricultural management and provision of strategic landscaping;
- A financial contribution towards the improvement of off-site formal open space facilities for the benefit of existing residents and the wider community.

### **Green Belt**

Having set out the main benefits associated with the scheme it is necessary to consider this in the context of the policy guidance contained in PPG2. This process will establish whether the very special circumstances identified are sufficient to outweigh any perceived harm to the purposes of including land within the greenbelt.

PPG2 defines the types of development that are appropriate within the green belt and conversely those that are 'inappropriate'. The development of housing is considered to be 'inappropriate' development in the green belt, and is therefore by definition harmful to the purposes of including land in the green belt. The proposed open space would, however, not be inappropriate development in the green belt.

As the proposed residential element of the development is 'inappropriate' (in green belt terms) it is necessary to examine all other considerations that may be weighed against any harm to the green belt caused by development in this location.

As well as the intrinsic harm that is caused by all 'inappropriate' development, harm can be caused to the green belt where new development would offend any of the five purposes of including land within the green belt. The five purposes of including land within the green belt are defined by PPG2 as:

- To check unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns from merging into one another;

- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration.

Of the five purposes listed above, only two are of relevance to the application site – to check unrestricted sprawl and to assist in safeguarding the countryside from encroachment.

The suite of technical documents submitted in support of this application demonstrates that the site has a limited role in checking unrestricted sprawl or safeguarding the countryside from encroachment. In summary, the Sewage Treatment Works and existing residential development along Bossington Lane and The Martins Drive present an almost continuous urban frontage to the north and east, albeit breached by open land in the northernmost area of the site. In addition, the Grand Union Canal, Stoke Road and the mainline railway also serve to detach this area of 'captured land' from the wider countryside.

PPG2 states that in all cases it is for the applicant to show why permission should be granted. It goes on to state that very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

In the case of the application site there are a number of factors which, when taken together, comprise the very special circumstances necessary to outweigh the harm to the green belt and justify otherwise inappropriate development within the green belt. A number of these very special circumstances have been identified above but can be summarised as follows:

- To help achieve the level of growth allocated to the Luton/Dunstable/Houghton Regis/Leighton Linlade growth towns in the MKSMSRS and the East of England Plan (the adopted RSS).
- A significant shortfall in the delivery of housing within Luton and South Bedfordshire (now Central Bedfordshire), and the contribution that the application proposals would make to the delivery of the MKSMSRS objectives. The application site is available, achievable and suitable for housing and could be delivered within the next five years.
- The development will make a positive contribution to the delivery of affordable housing (up to 69 dwellings). This will help to reduce the existing affordable housing shortage over the next five years.
- The need for a review of the Green Belt is recognised in the MKSMSRS, with the green belt around Leighton Linlade (including the application site) specifically identified for review. The proposed development would not prejudice any future review of the green belt boundary in this location and would provide the opportunity for a new permanent and defensible boundary to the green belt (as per Paragraph 2.7 of PPG2).

- The facilitation of other community benefits including new public open space and improvements to access between the urban fringe and the existing countryside (providing a key 'spoke' in the proposed 'Green Wheel') and improvements to existing public transport services which will be of a wider community benefit.

Recent appeal decisions relating sites within the green belt have also indicated that the lack of a five year housing supply, and the suitability of the location, can be sufficient to provide the very special circumstances necessary to justify development in the green belt

## **Conclusion**

Leighton Linlade has been identified, together with Luton/Dunstable and Houghton Regis, as one of the growth towns in the Milton Keynes and South Midlands Sub Regional Strategy and the East of England Plan.

The Council's own SHLAA demonstrates that there is currently not a five year land supply. Our assessment of housing land availability has also identified that the Growth Area is suffering from a significant shortfall in housing delivery. This assessment demonstrates that there is currently only a housing land supply of 3.6 – 3.8 years (as of March 2009).

The Planning Supporting Statement accompanying this application identifies three appeals for major green belt housing sites, which demonstrate that the Secretary of State gives significant weight to meeting the 5 year housing land supply, particularly where proposed development is located within an area identified for development through regional planning policy.

Paragraph 71 of PPS3 also clearly states that where LPAs cannot demonstrate an up-to-date five year supply of deliverable sites, they should consider favourably planning applications for housing having regard to the policies set out in PPS3. The availability and suitability of the site for the delivery of housing also weigh in favour of the application proposals and represent part of the necessary very special circumstances.

Our Planning Supporting Statement submitted in support of this application demonstrates that there are a number of factors which, when taken together, represent the very special circumstances necessary to outweigh harm and allow otherwise inappropriate development within the Green Belt. The consultation process has still not identified any issues that would change this conclusion.

We are therefore of the opinion that no material reasons to refuse this application have been identified during the consultation process and that as such the very special circumstances identified in our supporting documentation are still upheld. We therefore request that the Council determine the application favourably as per national and regional planning policy guidance. I also draw your attention to Paragraph 40 of PPS1 – The Planning and Climate Change Supplement.

*GJB*