



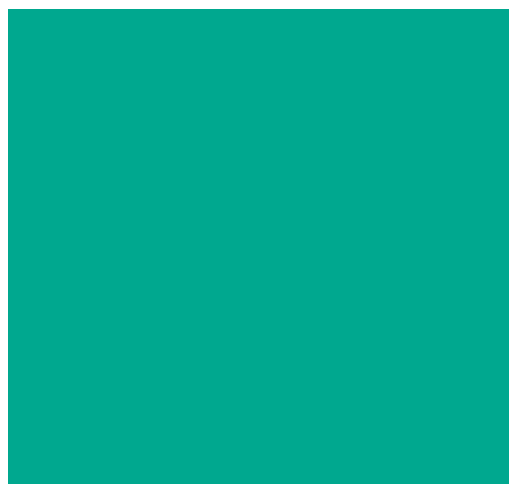
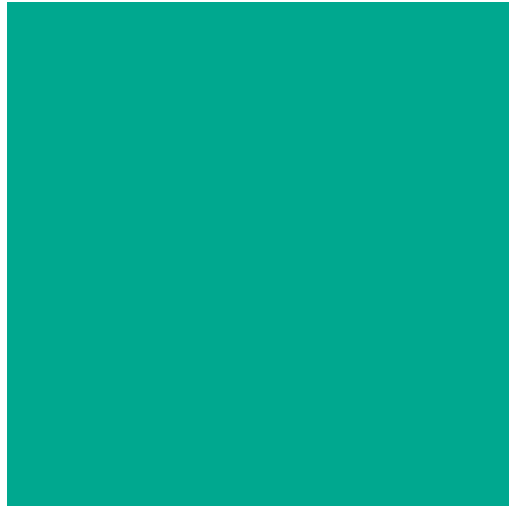
## PLANNING PROOF OF EVIDENCE REBUTTAL

**Site:** Land North of Cuffley Hill  
Goffs Oak  
Hertfordshire  
EN7 5EX

**For:** Countryside Properties (UK) Ltd

**Project Ref:** LF/17-86\_PoER

**Date:** September 2022



**Prepared by:**  
Liz Fitzgerald BA (Hons) Dip TP MRTPI  
Director  
Barker Parry Town Planning Ltd  
33 Bancroft, Hitchin, Herts SG5 1LA  
T: 01462 420224 / E: office@barkerparry.co.uk





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1.0 **BACKGROUND**

1.1 My name is Elizabeth Fitzgerald. My qualifications and experience are set out in my Proof of Evidence.

1.2 The evidence I have prepared and provided for this appeal is true and has been prepared and is given in accordance with the guidance of my professional institution irrespective of by whom I am instructed. I confirm that the opinions expressed are my true and professional opinions.

2.0 **INTRODUCTION**

2.1 This Rebuttal Proof of Evidence briefly addresses a number of points raised in the Proof of Evidence of Ms Rantz McDonald.

2.2 I had expected the evidence of the Local Planning Authority to provide the necessary “clear evidence” that completions will be achieved on sites with outline planning permission for major development and allocated sites, without such evidence such sites cannot be concluded to be “deliverable” within the meaning of the NPPF. No such evidence has been provided in support of a number of these sites. I will address the sites in turn below. The evidence provided for these sites does not come anywhere close to providing the robust and up-to-date evidence required by the PPG (68-007) and there is no evidence akin to the examples identified in the PPG (68-007).

2.3 I had further expected that the evidence of the Authority to set out how they are calculating Commitments (excluding Local Plan sites), windfall and self-build figures without them result in double or triple counting. There is no evidence presented in respect of this matter.

2.4 Having updated the table provided at Appendix 3 of my Proof of Evidence, the Appellant considers that the Council is only able to demonstrate a 3.28-year supply.

2.5 I will also take the opportunity to respond to the consultation response from Hertfordshire County Council received on the 30 August 2022, the same day evidence was submitted.

2.6 At the time of writing, the Local Planning Authority have provided no evidence to substantiate their requests for contributions. There remains no feedback on the draft conditions submitted on the 1 June 2022 and the

Statement of Common Ground remains with the Local Planning Authority for comment.



3.0 **FIVE YEAR HOUSING LAND SUPPLY**

3.1 A review of the site-specific information and evidence provided in Ms Rantz McDonald's Proof of Evidence has been undertaken and a number of sites remain in dispute. These are as follows:

The White House, High Street, Cheshunt, EN8 0BQ

3.2 The evidence provided, an email from B3 Living, who are a local Registered Social Landlord who build housing in and around Broxbourne Borough, advises that the scheme for which they have obtained planning permission for is unviable. Accordingly, they are now pursuing pre-application advice and a further permission for a revised scheme.

3.3 Clearly this renders the extant planning permission as undeliverable.

3.4 The Local Planning Authority has advised that this pre-application is irrelevant as the permission remains extant and the developer could choose to build it out.

3.5 Whilst it is not disputed that the pre-application is not a determination, objectively, the developer has made it abundantly clear that they have no intentions to pursue the extant permission. Accordingly, this cannot be included within the 5-year period.

Units 4 and 5, Killarney Court, Lodge Crescent, Waltham Cross, EN8 8EW

3.6 The Local Planning Authority have provided an email from what is assumed to be the developer advising that they intend to start on the project in January/February 2023.

- 3.7 There is no indication as to whether 'to start' on the project means to start looking at pre-commencement conditions or in fact start to build.
- 3.8 If it is to commence work on conditions, then it is highly likely that the permission will lapse before a lawful commencement can occur. The permission expires on the 22 April 2023.
- 3.9 The permission is subject to 15 planning conditions, 4 of those conditions require details to be approved prior to the commencement of development. One pertains to noise and another to asbestos, which require reports to be produced in advance of submission.
- 3.10 At the time of writing no condition discharge applications have been validated.

#### Brookfield Riverside (BR1)

- 3.11 The Local Planning Authority have provided an email from the Head of Strategic Projects and a further email from the Head of Broxbourne Development Programme stating that an outline application will be submitted w/c 12 September 2022.
- 3.12 The AMR indicates a development of circa 250 dwellings. It is unclear whether this includes the proposed extra care facility or if that is in addition. If it is included, the figure would need to be reduced to ensure a one for one allowance on care provision which is not appropriate. It is interesting that the emails provided by the Local Planning Authority cannot specify the scale of development proposed, especially given the impending submission of outline planning application(s).
- 3.13 Both Council Officers have stated in their emails an intent to start on site in late 2023/early 2024. This time period is considered to be unrealistic, as both

outline and reserved matters applications would need to be approved, along with any pre-commencement conditions. The Lichfields report indicates 2.1 years for the delivery of permissions associated with a development of this scale and a further 1.9 years to the delivery of the first dwelling.

3.14 Accordingly, at best 1 year's delivery of housing is realistic.

#### Brookfield Garden Village (BR2)

3.15 As with Brookfield Riverside, there have been emails provided from the Head of Strategic Projects and the Head of Broxbourne Development Programme stating that an outline application will be submitted w/c 12 September 2022.

3.16 The scale of development proposed is 1,250 dwellings which is significant. There is an anticipated start date of late 2023/early 2024 with the delivery of 150 dwellings per annum.

3.17 The time periods stated are entirely unrealistic. The Lichfields report highlights that the planning approval period for a development of this scale is 4.6 years, with the delivery of the first dwelling 6.9 years after the first submission.

3.18 Given the complexities and nature of this scale of development, along with infrastructure delivery requirements in advance of the delivery of the first home, these time periods set out in the Lichfields report are more realistic than those stated by the Local Planning Authority.

#### Cheshunt Lakeside (CH1)

3.19 The Local Planning Authority have provided an email from Inland Homes setting out the anticipated build out rate of the site. There is no dispute that



the parcels of development that benefit from both outline and reserved matters consents will be deliverable within the 5-year period.

- 3.20 As a flattened development, the time periods set out for delivery by Inland Homes broadly accord with the time periods within the Lichfield Report for developments of that scale. The Local Planning Authority assert that delivery on this site has been "rapid", but provide no evidence to demonstrate this assertion.
- 3.21 There is one full planning application for 471 dwellings which has only recently been validated and is still pending consultation responses. As a full planning application, it is anticipated that this will be subject to a legal agreement and as yet unknown pre-commencement conditions.
- 3.22 It is therefore considered unlikely that the entire development will be delivered in the 5-year period accordingly, and so we have limited delivery to a 1-year provision of dwellings.
- 3.23 The Local Planning Authority have sought to include housing figures associated with parcels of development that do not benefit from reserved matters consent and for which there is no live planning application. This is based on the single email from Inland Homes advising on when they anticipate starting on site.
- 3.24 Given the outline planning permission allows for reserved matters applications to be submitted within 10 years from that approval (August 2029) there is no urgency to make such applications. Certainly, with the current economic situation and the influx of residential development in Broxbourne, there is no guarantee that such applications will be coming forward in the time periods stated.

Rosedale Park North/South of Andrews Lane and South of Peakes Way  
(CH2) & 'Vyse Lane'

- 3.25 An email from Crest Nicholson has been provided setting out their anticipated build rates for parcels of the scheme. At present only one reserved matters application for 50 dwellings has been approved with a further reserved matters application for strategic infrastructure still pending a decision.
- 3.26 There are no other pending reserved matters applications. The strategic infrastructure is likely to be required to deliver the remainder of the site. It is therefore considered that only 50 dwellings are deliverable within the 5-year period.
- 3.27 The Appellant has queried whether Crest Nicholson currently have access to the remainder of the site to facilitate delivery as it is understood that there had been some legal issues associated with site acquisition/option arrangements. Information pertaining to this was sought from the Local Planning Authority however, they advised that they would not be seeking any further evidence on this site.
- 3.28 A land registry search has been undertaken and only the land shown in yellow below is in the control of Crest Nicholson, with all remaining land being in multiple ownerships and no sign of option agreements being in place.



3.29 On this basis alone, the site cannot be considered to be deliverable beyond the first 50 dwellings.

Rosedale Park (CH2) – North of Andrews Lane (Care home)

3.30 The Local Planning Authority have agreed that dwelling numbers for care homes should not be dealt with on a 1 for 1 basis. It is agreed that this will be amended to be based on 1.8 care home beds equals 1 dwelling.

3.31 In respect of this element of the Rosedale Park site, as stated above, Crest Nicholson do not currently have access to the land required to deliver this element of the development.

3.32 The inclusion of the site within the 5-year provision is solely predicated on an email from Crest Nicholson stating that they would estimate delivery in 2024 but it would depend on the provider.

3.33 This is no clear and convincing evidence of the delivery of the site for which there is no approved or pending reserved matters application.

Theobalds Brook Field (CH9)

3.34 The County Council have advised the Local Planning Authority in an email that they intend to build out this development in the next 5 years.

3.35 However, there is no evidence to support this position. The outline application was submitted in 2018 and there have been no apparent updates since March 2021. There has been no explanation for this delay or any indication on likely progress towards a determination.

3.36 Following a determination and completion of a s106 Agreement, further reserved matters applications and condition discharge submissions will be required.

3.37 An email from the County Council advising that they are anticipating delivery of the scheme in 2024/25 is entirely unrealistic and lacks any clear evidence to show progress on applications.

#### Former Playing Fields (CH11)

3.38 The County Council have advised, via an email, that they intend to deliver this site in 2024/25. The email implies a commencement on site in early 2023 in order to achieve this target.

3.39 There are no valid, pending or approved applications for the delivery of development on this site. A start on site in early 2023 is entirely unrealistic.

3.40 There is therefore a lack of clear evidence to demonstrate delivery.

#### Turnford Surfacing Site (HOD4)

3.41 The Local Planning Authority have confirmed that whilst the application for the development of this site was approved by Committee on the 15 December 2020, a decision notice has yet to be issued as a result of the s106 Agreement still being discussed.

3.42 It is worth noting that this site was allocated for 40 dwellings, whereas the Local Planning Authority resolved to grant permission for 104 dwellings.

3.43 No evidence has been provided to demonstrate when this may be resolved or when the applicant intends to either sell the site (they are not a housebuilder) or build the scheme out themselves. It is understood that the

applicant is in no hurry to deliver this site as they are currently getting a revenue from the use of the land as car parking for the station.

- 3.44 Based on the Lichfield's lead in times, we have allowed for 1 year's worth of completions on this site, in order to be reasonable, but the ability to achieve this is dubious.

High Leigh (HOD7) - Housing only

- 3.45 The Local Planning Authority have provided an email that states development will be complete by 2026. This evidence is at best vague. It does not state what development, the scale or nature. There also appears to be some confusion as to whether the Local Planning Authority are querying the residential element or the delivery of the school.

- 3.46 The Appellant has produced a balanced argument associated with delivery based on the Lichfields Report. The Local Planning Authority has advised that development for which no applications have been submitted and no developer has confirmed as included within their statements should be included based on the rapid progression of planning and construction.

- 3.47 It is worth noting that outline planning permission was granted for this site in 2014, the developer is now submitting full planning applications for development and the time periods associated with the outline permission have now lapsed. It is not considered that this is representative of "rapid" delivery.

Westfield Primary School (HOD8)

- 3.48 Whilst outline permission exists for this development, there is no reserved matter submission and no evidence provided to demonstrate that this site will come forward within the 5 years.

3.49 The Local Planning Authority have made delivery assumptions based on the delivery of the replacement primary school alone which is not clear evidence.

#### Assessment of Delivery Times

3.50 The Local Planning Authority have disputed the use of the Lichfield Report in ascertaining reasonable delivery timetables.

3.51 The Local Planning Authority have favoured their own assessment of 20 sites, as set out in Appendix B to Ms Rantz McDonald's evidence.

3.52 The Lichfield's report is widely recognised and accepted within the profession due to the ongoing assessment of sites and the broad spectrum considered. 180 sites feed into the second edition and these vary in scale from 50 dwellings to 2000+ therefore ensuring the intricate nature of larger schemes is factored in, whilst ensuring a distinction is drawn to the smaller sites where timescales are not so protracted.

3.53 By comparison, the Council's submission only considers 20 applications, the largest of which is for 90 dwellings (07/16/1354/RM), the smallest being for 10 dwellings (07/15/0970/F). The information provided is however inaccurate. If read on face value, the scheme for 90 dwellings at Britannia Nurseries (07/16/1354/RM) took 3.3 years from registration to completion, where the 10 unit at Park Lane, Waltham Cross (07/15/0970/F) scheme took 4.4 years.

3.54 The inaccuracy is based on the exclusion of any timeframes associated with the outline planning permission. Just looking at the 90-unit scheme for Britannia Nurseries:

- Outline planning application submitted in February 2013, approved October 2015 – **32 months**

- Reserved Matters application submitted December 2016 (**14 months** post outline permission).
- Reserved Matters granted April 2017 – **4 months**
- Development completed March 2020 – **35 months**
- **Total time = 85 months (7.08 years)**

3.55 This is almost 4 years longer than the Local Planning Authority have stated in evidence.

3.56 The same assessment can be applied to the Small Acre Nursery site for 59 dwellings (07/18/0152/RM):

- Outline planning application submitted in May 2017, approved December 2017 – **7 months**
- Reserved Matters application submitted February 2018 (**2 months** post outline permission).
- Reserved Matters granted May 2018 – **3 months**
- Development Completed April 2021- **35 months**
- **Total time = 47 months (3.91 years)**

3.57 The table also fails to recognise the additional reserved matters application submitted in September 2019 and approved in July 2019.

3.58 The applications included also fail to identify where some relate to s73 submissions and not the original permission, again skewing the figures. Looking specifically at the Woodside Units ref: 07/19/0960/F. It is clear from the description of development that this is a variation of condition and not the original permission. When the assessment is applied to this permission, the real delivery rate is seen:

- Original Full Permission submitted September 2017 and approved May 2019 – **20 months**
- s73 submitted November 2019 – **6 months** post original permission

- s73 approved February 2020 – **3 months**
- Development Completed August 2021- 18 months
- Total time = 47 months (3.91 years)

3.59 The real delivery rate is 2 years longer than that stated by the Local Planning Authority.

3.60 The Local Planning Authority provide no evidence associated with the delivery of applications of more than 114 dwellings, such that this cannot be relied upon for the timescales of delivery of the larger sites.

3.61 Moreover, once the correct figures are inserted and anomalous applications removed, the timescale from validation to completion increases beyond the 4.07 years stated in Ms Rantz McDonald's Appendix B, which is in any event almost a year longer than the delivery rates set out in Lichfields, for developments of 50-99 dwellings.

3.62 This is further compounded when the permissions associated with Local Plan Commitments are considered. Taking the permissions set out in Chapter 7 of Ms Rantz McDonald's Proof of Evidence alone and using the information published on the Council's online portal in respect of validation and approval dates, the Council have taken on average 15 months to deal with Local Plan allocation submissions (outline/reserved matters and full applications).

#### Minor Commitments

3.63 At Appendix D of Ms Rantz McDonald's Proof of Evidence, a list of minor commitments has been provided. A number of the applications listed have either lapsed or are due to lapse and whilst this has been queried with the Local Planning Authority, they have advised that the applications will lapse after the monitoring period and therefore should be included in the 5-year supply.



3.64 This is clearly an unusual position to take when considering the delivery of a 5-year supply of housing.

3.65 The following applications have or are due to lapse:

07/19/0114/F	16/04/2019	39 Leaside Wharf Road, Wormley, EN10 6HD	2	Lapsed
07/19/0220/F	29/04/2019	239 Turners Hill, Cheshunt, EN8 9DG	1	Lapsed
07/19/0165/F	13/05/2019	18 The Drive, Hoddesdon, EN11 9JA	1	Lapsed
07/19/0563/F	08/08/2019	19A High Street, Hoddesdon, EN11 8SX	3	Lapsed
07/19/0608/F	02/09/2019	Tewin House, 67 Old Highway, Hoddesdon, EN11 0LT	4	Lapsed
07/19/0635/ PNRES	12/09/2019	R/O, 95 Turners Hill, Cheshunt, EN8 9BD	1	Lapsed
07/19/0705/F	08/10/2019	100, High Street, Hoddesdon, EN11 8HD	1	No condition discharge lapses 09/10
07/19/0737/F	08/10/2019	186B Turners Hill, Cheshunt, EN8 9DE	1	No condition discharge lapses 09/10
07/19/0859/ PNAG-RES	03/12/2019	Building 2,3 and 6 Baisley Woods, Beaumont Road, Cheshunt, EN7 6PQ	3	Has to be complete by 03/12 or permission lapses.

3.66 Whilst the numbers are small, it does raise questions in respect of the approach taken by the Local Planning Authority to the 5 Year Housing Land Supply calculation.

### Windfall Sites/Self-Build/Commitments

- 3.67 It has been put to the Local Planning Authority that the inclusion of non Local Plan site commitments, windfall and self-build as separate entities within the 5-year monitoring is double, if not triple counting where the Self-build element is concerned.
- 3.68 Figures presented by the Local Planning Authority suggest that, between commitments (640 dwellings), windfall (350 dwellings) and self-build (25 dwellings), a total of 1015 dwellings will be delivered over the 5-year period. This equates to 203 dwellings per annum.
- 3.69 It is reasonable to consider commitments (non Local Plan sites) to be delivered as windfall development within the first 1-2 years of the 5-year land supply, with windfall assumptions made for the latter years of the plan.
- 3.70 With the exception of extracts from the Inspector's Report into the Local Plan, the Local Planning Authority have provided no evidence to demonstrate that 70 additional dwellings are both granted and delivered per a year, on top of those already committed, and that an additional 5 self-build dwellings on top of those already approved are delivered.

### Impact on 5 Year Supply

- 3.71 From the above assessment, a revised Scott Schedule has been produced and is attached at **Appendix 1**.
- 3.72 This demonstrates the delivery of 3.33 years housing land supply. Without doubt this level of delivery would be a marked improvement upon the performance of the Authority to date and would equate to 537 dwellings per annum, which when considered against the 335 delivered in 2021/22 would

be a significant improvement and demonstrates how reasonable the Appellant's approach to this matter really is.

3.73 However, this constitutes a shortfall of provision of 1,345 dwellings over 5 years, or 269 per annum. This is an additional 80% annual delivery on the achievements in 2021/22 or an additional 50% over what the Appellant has demonstrated to be reasonably deliverable. This is a significant shortfall that cannot realistically be delivered when considered the sites on a case-by-case basis and having regard to the Council's persistent under-delivery.

3.74 Even if the Local Planning Authority are correct in their position relating to windfall and self-build units, this only increases to 3.52 years housing land supply.

4.0 **EDUCATION**

4.1 Amended evidence on behalf of the County Council, as Education Authority was submitted on the 30 August, the same day proof of evidence was due to be submitted.

4.2 The County Council's amended submission is located at **CD C6b**.

4.3 For the avoidance of doubt, it is considered necessary to highlight that the number of pupils generated by the development is across the cumulative year groups associated with primary and secondary separately.

4.4 At paragraph 5.9 of the County's comments, it cites 37.92 pupils (peak) generated. This is across the 6 year groups, plus reception. This equates to 5.4 pupils on average per year group at the developments peak. The peak is once the development is established and fully occupied. Initially some parents will not opt to move their child within a school year or they may be moving locally and the child is already in the school. Accordingly, 5.4 pupils per year group will not happen on day 1 of occupation.

4.5 With the forecast year being 2023-24 at the earliest as seen on the Goffs Oak/Ridgeway South forecast data (Table 2 of the County Council's submissions) there is 20 surplus spaces available to meet the demands of this development.

4.6 The County allude to a push back on places and others seeking places within this school area placing demand on primary school places. Whilst this may be the case, School Place Planning Areas exist for a reason and if they cannot be relied upon to forecast demand for places then what value do they add.

- 4.7 The scale of development within Goffs Oak is well known, especially with the Local Plan only being adopted in 2020, with this Appeal site being the residual allocated site within the area to come forward.
- 4.8 The County Council's information (as at my Proof of Evidence para 7.8) advises that these forecasts have regard to known housing developments. Therefore, with the exception of parental choice, the forecasts can be taken as robust.
- 4.9 It is also worth noting that all other development sites within the Goffs Oak area that benefit from planning permission have contributed towards primary education provision, either through the expansion of Woodside Primary, or the provision of a new primary school at Rosedale Park. To assert that the surplus spaces are to be used by those other developments is effectively double counting the spaces, as those other developments have paid for additional provision to be made available to them.
- 4.10 Turning to secondary education, as set out in my Proof of Evidence, the site lies within the Cheshunt Place Planning Area. As set out in the County Council's submission at paragraph 6.7, the development generates 27 pupils at its peak over the 5 year groups (excluding post 16 education). This equates to 5.4 pupil (peak) in each year group.
- 4.11 It is clear from Table 5 of the County Council's evidence that at the earliest forecast year applicable to this development of 2023/24, not only is there sufficient capacity in year 7 to accommodate the anticipated 5.4 pupils, but sufficient capacity to accommodate all 27 pupils that will arise across all age ranges.
- 4.12 Noting the point raised by the County that there is some movement into the Cheshunt Place Planning Area from the Hoddesdon Place Planning area, any

deficit shown in Table 6 of the County Council's evidence can also be reasonably accommodated within the Cheshunt Place Planning Area on top of this development proposal.

4.13 That said, the under-provision of places within the Hoddesdon Place Planning Area is not for the Appellant to mitigate against, but for the County Council to appropriately plan for.

4.14 As with primary education, all other development sites within Goffs Oak that benefit from planning permission have contributed towards secondary education provision, therefore the inclusion of those developments, effectively using this surplus capacity, will be double counting.

4.15 In short, there is no evidence presented to this Inquiry that demonstrates that there is a shortage in school places at either primary or secondary level that would necessitate the Appellant to contribute towards additional places to meet the demand arising from their development proposals.



**APPENDIX 1**

**5 Year Land Supply Table – October 2022**



## 5YHLS Overview

	Annual LP Housing Target	5 Year requirement (1 April 22 31 March 27)	Existing Shortfall	Buffer 20%	5YHLS Requirement	Deliverable Sites	Balance	Years supply
Council AMR 20/21	454	2,270	-968	648	3,886	4,020	134	5.17
Council Position	454	2,270	-1,087	672	4,029	4,724	695	5.86
Appellant Position	454	2,270	-1,087	672	4,029	2,684	-1,345	3.33

### 5YHLS Requirement

2022/23	806
2023/24	806
2024/25	806
2025/26	806
2026/27	806



Ref	AMR - SITE DETAILS				Appellant Position		Appellant / LPA Status	LPA Position			
	Sites	Ref	Total Units (AMR)	Deliverable in 5 Years (AMR)	Deliverable in 5 Years	Difference from AMR		Justification	Deliverable in 5 Years	Difference from AMR	Justification
<b>(1) SITES NOT AGREED BETWEEN PARTIES</b>											
1	Former Wormley JMI School, St Laurence Drive, Wormley, EN10 6LH - Care home	07/14/0628/CM	77	77	43	-34	As a result of construction having commenced on site, delivery of all bedspaces could be secured within the 5-year period. The Council have provided a C2 equivalency ratio of 1.8 bedspaces to a dwelling. 77 bedspaces therefore relates to 43 dwellings.	Agreed	43	-34	Construction has commenced on 25/02/2019. The care home has been completed since the end of the monitoring period. Therefore, this site falls within Part A of the NPPF definition of deliverable.
2	Former Wormley primary School, St Laurence Drive, EN10 6LH	07/20/0866/RM	13	13	13	0	As a result of construction having commenced on site, delivery of all dwellings could be secured within the 5-year period.	Agreed	13	0	Construction has commenced on 31/03/2022. An email from Joe Kerby, Land and Development Manager, Herts Living Limited on 17/08/2022 stated; "the development will be complete by this October, 2022." Therefore, this site falls within Part A of the NPPF definition of deliverable.
3	New River Arms, High Road, Turnford, EN10 6DB	07/18/0307/F	45	45	0	-45	Planning permission has lapsed and no other application has been validated pursuant to this site.	Agreed	0	-45	N/A
4	The White House, High Street, Cheshunt, EN8 0BQ	07/18/0802/F	57	57	0	-57	Whilst demolition of existing buildings has occurred, the developer has stated their intent not to build out the consented scheme, given it is unviable to do so. The only indication of the delivery of residential development on this site occurring is the submission of a pre-app, which the Council has itself highlighted should not be considered of relevance to this inquiry.  In light of the consented scheme having been explicitly stated as unviable and no other planning application having been validated, this site cannot be considered deliverable within the 5-year period.	Disagreed	57	0	Full planning permission was approved on 27/06/2019. In an email on 11/08/2022 from Hannah Rennie, Land and New Business Manager, B3 Living, stated, "The White House – Planning permission for 56 homes was obtained in 2019 and has been implemented by demolition of the existing buildings in 2020 and payment of S106 contributions. However, a subsequent strategic review of the approved proposal identified that it did not meet the requirements of B3Living's revised Purpose, compounded by unviable tender returns being received. B3Living have been working in consultation with the Borough of Broxbourne on new designs to ensure the affordable housing mix meets the needs of the community and provides best use of the site. The proposed revised designs will be of a lower density. The proposed tenure mix addresses the greatest need in the Borough of 1-bed and 2-bed properties, supporting B3Living's Purpose work and Corporate Strategy. A formal pre-application submission has been made to the Planning department, which we await feedback. Subject to approval we will look to submit a full application in due course. "  This planning permission has been partially implemented and is therefore not lapsed. The reference to a pre-application should not be considered of relevance to this Inquiry as these are confidential. The developer may receive a negative response or simply change their mind and decide to continue with the implementation of the original planning permission. Therefore, this site falls within Part A of the NPPF definition of deliverable.
5	Former Hoddesdon Squash Club, Conduit Lane, Hoddesdon, EN11 8EP	07/18/0806/F	24	24	24	0	As a result of construction having commenced on site, delivery of all dwellings could be secured within the 5-year period.	Agreed	24	0	Construction has commenced on 31/03/2021. In an email from Hannah Rennie, Land and New Business Manager, B3 Living, on 11/08/2022 she stated; " Works started to construct the 24 flats and single commercial unit in April 2020. Following strong progress through the first half of the build process, the project has recently been affected by the consequences of Brexit and the emergence from the pandemic. Over the past three months we have been working closely with our contractor to find a solution to the issues they have been facing. We are now extremely close to resolving the issues and expect the site to be back to full operation in early September. We now forecast completion of the scheme in January 2023, with tenants moving in shortly thereafter." Therefore, this site falls within Part A of the NPPF definition of deliverable.
6	171 Crossbrook Street, Cheshunt, EN8 8ND	07/19/0221/F	13	13	13	0	As a result of construction having commenced on site, delivery of all dwellings could be secured within the 5-year period.	Agreed	13	0	Construction has just commenced on site. In an email from the agent Enzo Di-Piazza he stated that "the development is predicted to be completed in 10 to 12months time." Therefore, this site falls within Part A of the NPPF definition of deliverable.

7	Units 4 and 5, Killamey Court, Lodge Crescent, Waltham Cross, EN8 8EW	07/20/0021/F	11	11	0	-11	<p>Permission was granted on 22/04/20 and as such lapses on 22/04/23. In the intervening period, no discharge of condition applications have been submitted despite the multiple pre-commencement conditions on the decision notice. Within the next 8 months, discharge of conditions applications will need to be prepared (including noise surveys) and approved before a lawful commencement can be made.</p> <p>Given the lack of any progress made in implementing the permission so far, an email stating indicative timescales to commencement is not considered sufficient evidence of delivery prior to the permission lapsing.</p>	Disagreed	11	0	An email on 18/08/2022 from Ray Coll, Commercial Director, Montway stated: "we are planning on commencing this project in January/February 2023. We would expect to complete this project later in 2023 or early 2024." Therefore, this site falls within Part A of the NPPF definition of deliverable.
8	99 High Street, Waltham Cross, EN8 7AN	07/18/0130/F	16	16	16	0	Whilst no conditions have been discharged since the application's approval on 11/01/21, there is sufficient time on the extant permission for these to be discharged and a lawful commencement to occur.	Agreed	16	0	An email from Jay Patel, Peter Pendleton & Associates Ltd stated on 25/08/2022; " I have talked to the owners. They will not start works until September 2023. There are preparing information to discharge conditions, Building Regulations package and working drawings. They will go to tender sometime in early 2023 and start around August/September." and "I have used the RICS tool and it is likely to be 18 months." referring to projection completion estimate. Therefore, this site falls within Part A of the NPPF definition of deliverable.
9	VolkerWessels, Boxwood Park, Hertford Road, Hoddesdon, EN11 9BX	07/19/1078/F	24	24	24	0	As a result of construction having commenced on site, delivery of all dwellings could be secured within the 5-year period.	Agreed	24	0	Construction has commenced on 26/03/2021. Therefore, this site falls within Part A of the NPPF definition of deliverable.
10	Cheshunt Park Farm, Park Lane Paradise, Cheshunt, EN7 6PY	07/19/0901/F	24	24	24	0	Whilst no conditions have been discharged since the application's approval on 20/11/20, there is sufficient time on the extant permission for these to be discharged and a lawful commencement to occur.	Agreed	24	0	Email from Derek Bromley, Bidwells stating; "due to a family dispute the construction has been delayed. An Expert has now determined the issue in dispute, so it is hoped that works will start on site soon. First units available next year with a 2-3 year build out. So all completed within the 5 years." Therefore, this site falls within Part A of the NPPF definition of deliverable.
11	Fourfields, Rosedale Way, Cheshunt, EN7 6HR	07/16/0557/O 07/22/0359/RM	n/a	n/a	15	n/a	A Reserved Matters application was validated in April 2022 and is currently being determined. Given the reduced lead in times for smaller sites, the full delivery of dwellings is achievable within the 5-year period, subject to an RM approval.	Agreed	15	n/a	A reserved matters application (07/22/0359/RM) is presently under consideration. Janine Mordey, Land and Development Manager, Herts Living Ltd confirmed by email on 18/08/2022 that "the site is still with planning to be determined by Broxbourne LPA. The target date for committee is September but may slip into October. We are targeting Quarter 1 2023 (Apr-June 2023) for start on site and completion by February 2024." Therefore, this site falls within Part B of the NPPF definition of deliverable.
12	Land between Legra Avenue, and Conduit Lane, Hoddesdon, EN11 8ET	07/19/0829/F	n/a	n/a	48	n/a	As a result of construction having commenced on site, delivery of all dwellings could be secured within the 5-year period.	Agreed	48	n/a	Construction has commenced on 22/12/2021.
13	118, High Street, Waltham Cross, EN8 7BX	07/20/1084/F	10	10	10	0	Whilst no conditions have been discharged since the application's approval on 14/12/21, there is sufficient time on the extant permission for these to be discharged and a lawful commencement to occur.	Agreed	10	0	An email from Jesal Patel, Principal, Pridview Gorup, on 30/08/2022 stated: "We are currently negotiating a date with Poundland to vacate the premises. We expect this to be in February 2023. The project will be due to then commence mid 2023 with a completion 2 years thereafter." Therefore, this site falls within Part B of the NPPF definition of deliverable. However, there is "clear evidence that housing completions will begin on site within 5 years." Which justifies its inclusion in the five year supply.
14	88-102, High Street, Waltham Cross, EN8 7BX (Gala Bingo)	07/21/0276/F	92	92	92	0	As a result of construction having commenced on site, delivery of all dwellings could be secured within the 5-year period.	Agreed	92	0	Construction has commenced on 31/03/2022. In an email on 17/08/2022, Peter Petrou, Director of Group Services, Glenthorne Group stated "All 92 units are scheduled to be delivered next year 2023. We are currently at foundation stage." Therefore, this site falls within Part A of the NPPF definition of deliverable.

15	The Wheelwrights, Goffs Lane, Goffs Oak, EN7 5EP	07/21/0895/F	n/a	n/a	10	n/a	<p>The Council have highlighted that the applicant will not commence construction at Wheelwrights until the completion of development at Tina Nursery. In assessing Tina Nursery, it is concluded that construction will be completed by May 2027.</p> <p>The developer's email indicates that construction would not commence on Wheelwrights until May 2027. It is important to note that these delays to commencement would result in the extant permission lapsing, given no commencement would be made the 09/03/2025 deadline. However, it is possible for this permission to be renewed and given the small scale of the site, the delivery of 10 dwellings within the 5-year period is considered achievable.</p>	Agreed	10	n/a	<p>Full planning permission was approved on 08/03/2022. On 16/08/2022 Jamie Wragg, Managing Director of Matthew Homes stated in an email; "the Wheelwrights pub site this will follow on from the end of the Tina Nursery site and should be built out in 12 months."</p> <p>With regard the Tina Nursery site he also states; "I am desperate to commence the development of the former Tina Nursery but we are being held up by Hertfordshire Highways for the discharge of a pre commencement condition relating the site access. As soon as this condition is discharged we will commence with house building as the demolition and site clearance has been completed. I anticipate that we should be built out within 2 years of commencing."</p> <p>On 17/08/2022 Matthew Armstrong, Area Manager (North &amp; East), Highways Development Management, Hertfordshire County Council, confirmed by email that it is reasonable to estimate that this condition will be discharged within one year allowing an immediate start of construction on site to follow.</p> <p>This would see the Wheelwrights site being completed in 2026/27. Therefore, this site falls within Part A of the NPPF definition of deliverable.</p>
16	Brookfield Riverside (BR1)		250	0	55	-195	<p>No applications have been validated pursuant to the site allocation and no indication has been given on the quantum of development a future outline application would seek. An email indicatively suggesting a timeframe to the submission of an application is not considered sufficient evidence of delivery. It is unclear how an application will be submitted to the Council by 12/09/22 if final dwelling numbers are still being worked out, given the implications this has for a number of key drawings and reports.</p> <p>Lichfields 'Start to Finish' indicates an average timeframe from validation of first application to completion of first dwelling (for sites of 100-499) of 4 years. Accordingly, delivering 250 dwellings in the time period is unrealistic. It is considered a maximum of 1 year's delivery (typically 55 dwellings for site's of this scale) could be achieved during 2026/27.</p>	Disagreed	250	0	<p>An email from Kevin Clarke, Head of Strategic Projects, Broxbourne Borough Council on 17/08/2022 stated; "A planning application should be with the Council in the week commencing 12 September 2022. Within Riverside there is currently a provision for up to 250 residential units, plus an extra care facility although final numbers still being worked on. Assuming planning is granted it is anticipated that Riverside will be built out in one phase starting early 2024 and completing September 2026." A subsequent email also confirms a developer has been appointed for this scheme. Therefore, this site falls within Part B of the NPPF definition of deliverable. However, there is "clear evidence that housing completions will begin on site within 5 years." Which justifies its inclusion in the five year supply.</p>
17	Brookfield Garden Village (BR2)		1250	250	0	-1250	<p>No applications have been validated pursuant to the site allocation. An email indicatively suggesting a timeframe to the submission of an application is not considered sufficient evidence of delivery.</p> <p>Lichfields 'Start to Finish' indicates an average timeframe from validation of first application to completion of first dwelling (for sites of 1,000-1,499) of 6.9 years. Accordingly, it is not considered that first delivery would be achievable by 2026/27.</p>	Disagreed	450	-800	<p>An email from Kevin Clarke, Head of Strategic Projects, Broxbourne Borough Council on 17/08/2022 stated; "A planning application is due to be with the Council in the week commencing 12 September 2022 which will be for 1250 residential units and ancillary uses. At present the implantation of the infrastructure required to serve BGV is anticipated to start late 2023 and then the first phases to commence in mid 2024 providing an estimated 150 units per annum thereafter." Therefore, this site falls within Part B of the NPPF definition of deliverable. However, there is "clear evidence that housing completions will begin on site within 5 years." Which justifies its inclusion in the five year supply.</p>
18	Gas Distribution Station (BX3)		35	0	0	-35	<p>No applications have been validated pursuant to the site allocation. Evidence of the feasibility of delivery is required.</p>	Agreed	0	-35	N/A
19	Broxbourne School (BX4)	07/16/0512/F 07/19/0368/RM 07/21/0685/F	103	103	77	-26	<p>Pre-commencement conditions appear to be discharged and building operations have commenced on-site. Lichfields 'Start to Finish' indicates an average build out rate (for sites between 100-499) of 55 dwellings per annum. Council figures therefore appear accurate and achievable.</p>	Agreed	77	-26	<p>Construction commenced on this site 31/03/2021. 41 dwellings were completed during this monitoring period, as outlined in Appendix E. Planning permission 07/21/0685/F relates to the "Sub-division of formerly approved apartment block under reference 07/19/0368/RM to create an additional three two-bedroom apartments, totalling nine apartments. No alterations to the external appearance". Therefore, this site falls within Part A of the NPPF definition of deliverable.</p>

20	Cheshunt Lakeside (CH1)	07/18/0461/O 07/19/0996/RM 07/20/1186/RM 07/20/1187/RM 07/22/0597/F	1750	924	529	-1221	<p>A number of detailed consents have been secured with development having been commenced on site. From securing a detailed planning consent, the average time to completion of first dwelling is 2.3 years (for sites between 1,000-1,499 dwellings). On the basis that 107 dwellings are typically achieved per annum on sites of this scale, the below completions are considered achievable.</p> <p>An email indicatively suggesting a timeframe of indicative completion dates is not considered sufficient justification for an expedited delivery.</p> <p>07/19/0996/RM (Parcel 11 - 195 dwellings) - Approved 05/03/20 and conditions discharged. It is considered that delivery of these dwellings is achievable within the 5 year period.</p> <p>07/20/1186/RM (Parcel 14 - 22 dwellings) - Approved 03/03/21 and conditions discharged, It is considered that delivery of these dwellings is achievable within the 5 year period.</p> <p>07/20/1187/RM (Parcel 2 - 205 dwellings) - Approved 11/06/21 and conditions discharged. It is considered that delivery of these dwellings is achievable within the 5 year period.</p> <p>07/22/0597/F (Parcels 12 &amp; 13 - 471 dwellings) - Validated 06/07/22. Given this application has only recently been validated, the completion of dwellings under any future approval is considered to be restricted to a single year of delivery by 2026/27.</p>	Disagreed	1031	-719	<p>An email from Neo Rakodi, Land Development Director, Inland Homes on 16/08/2022 outlined the below indicative timescales:</p> <p>"Parcel 13, 95 dwellings, start date: Feb-23, delivery date: Jan-25 Parcel 12, 279 dwellings, start date: Jun-23, delivery date: Jan-26 Parcel 10a/10b, 137 dwellings, start date: July-26, delivery date: May-29 Parcel 3, 184 dwellings, start date: Mar-26, delivery date: Feb-28 Parcel 4, 118 dwellings, start date: Jun-25, delivery date: May-27 Parcel 9, 125 dwellings, start date: Jul-24, delivery date: Oct-26"</p> <p>The 3 parcels of this development currently under construction have progressed rapidly and it is likely that the remainder of the development will follow the same pattern. Therefore, this site falls within Part B of the NPPF definition of deliverable. However, there is "clear evidence that housing completions will begin on site within 5 years.". Which justifies its inclusion in the five year supply.</p> <p>Parcel 11 - Construction commenced on 13/11/2020. An email from Neo Rakodi, Land Development Director, Inland Homes on 16/08/2022 outlined the below indicative timescale: "Parcel 11, 46 + 149 dwellings, start dates: Nov-20, delivery dates: July-22 &amp; Jan-23". Therefore, this site falls within Part A of the NPPF definition of deliverable.</p> <p>Parcel 14 - Construction commenced on 03/11/2021. An email from Neo Rakodi, Land Development Director, Inland Homes on 16/08/2022 outlined the following indicative timescale: "Parcel 14, 22 dwellings - start date: July-21, delivery date: Nov-22." Therefore, this site falls within Part A of the NPPF definition of deliverable.</p> <p>Parcel 2 - Construction commenced on 13/11/2020. An email from Neo Rakodi, Land Development Director, Inland Homes on 16/08/2022 outlined the following indicative timescale: "Parcel 2, 205 dwellings, start date: Aug-21, delivery date: Nov-23". Therefore, this site falls within Part A of the NPPF definition of deliverable.</p>
21	Rosedale Park North/South of Andrews Lane and South of Peakes Way (CH2) & 'Vyse Lane'	ENQ/21/0062 07/17/0352/O 07/21/1508/RM 07/21/0596/RM	400	232	50	-350	<p>A Reserved Matters application was approved 04/05/22 relating to Phase 1a of the outline permission (50 dwellings). Further, a Reserved Matters application pursuant to the infrastructure within the outline permission was validated 21/12/21. No application has been submitted which relates to the pre-application enquiry listed within the AMR.</p> <p>It is considered that no dwellings will be deliverable until the the main access and spine road, as sought by the infrastructure RM, are constructed. Lead in times (for sites between 100-499) are 1.9 years. On the basis of construction having commenced in August 22, this would result in first delivery by June 2024. This would then allow for only the consented 50 dwellings to be constructed within the 5-year period.</p> <p>No evidence has been provided as to the delivery of the remaining dwellings beyond an email stating indicative timescales, which is not considered to be sufficient.</p>	Disagreed	368	-32	<p>Construction commenced on site on 8/08/2022, outside of the monitoring period. An email on 18/08/2022 from Matthew Davis, Land Manager, Chrest Nicholson Eastern outlined the following table of projected completion timeframes.</p> <p>"Phase 1a, 50 dwellings, completions: January – September 2023, Phase 1b, 29 dwellings, completions: 2023 / 2024, Phase 2, 145 dwellings, completions: 2024 – 2026, Phase 3, 82 dwellings, completions: 2025 / 2026, Phase 4, 62 dwellings, completions: 2026 / 2027, Phase 5, 12 dwellings, completions: 2028".</p> <p>Reserved matters application 07/21/0596/RM for phase 1a (50 dwellings) received planning permission on 04/05/2022. This application was not included in the trajectory because it falls outside the monitoring period.</p> <p>Therefore, Phase 1a (07/21/0596/RM) falls within Part A of the NPPF definition of deliverable. With the remaining phases falling into Part B. However, there is "clear evidence that housing completions will begin on site within 5 years.". Which justifies their inclusion in the five year supply.</p>
22	Rosedale Park (CH2) - North of Andrews Lane (Care home)	07/17/0352/O 07/21/1508/RM	64	64	0	-64	<p>No RM application has been validated relating to the 64 bed Care Home. In light of the access and spine road infrastructure having not been permitted at this stage, evidence is required that delivery would be feasible within the 5-year period. An email indicatively suggesting a timeframe to the submission of an application is not considered sufficient evidence of delivery.</p> <p>In light of the C2 equivalency ratio of 1.8, the proposed 64 bedspaces equate to 36 dwellings.</p>	Disagreed	36	-28	<p>An email on 18/08/2022 from Matthew Davis, Land Manager, Chrest Nicholson Eastern stated with regard to the care home "It is part of our Phase 2 so I would expect it to be delivered during that period – most likely 2024 / 2025." In a follow up email on the 19/08/2022 Mr Davis also stated "I would expect that the RM application would come forwards at the same time as Phase 2. It will depend slightly on the care home provider etc but I would estimate 2024." Therefore, this site falls within Part B of the NPPF definition of deliverable. However, there is "clear evidence that housing completions will begin on site within 5 years.". Which justifies its inclusion in the five year supply.</p>

23	Rosedale Park - Tudor Nurseries (CH2)	07/17/0864/O 07/20/0157/RM 07/22/0364/RM	360	310	292	-68	<p>An RM application was approved on 23/12/20 for 360 dwellings and the Council has indicated that construction has commenced on-site. A further RM application was validated on 05/04/22, relating to amendments to the layout of 186 of the previously consented dwellings.</p> <p>As a result of the progressed nature of the site, including 10 completions already, the Council's figures are considered achievable.</p>	Agreed.	292	-68	<p>This entry has been updated following a developer email received after the "Five Year Housing Land Supply - Fairmead &amp; Rosemead Public Inquiry" document was shared with the appellant. The figure has changed from 330 to 292 following an email from Jo Hanslip, Founder &amp; Director, Urbanissta on 22/08/2022 stating; "Work commenced on site on 4th January 2021. The total construction period is expected to take approximately six years to complete based on an average build rate of 60-70 residential dwellings per annum. The development is to take place over four main build/sales phases of residential development, with the delivery of those other elements of the proposals (i.e. green infrastructure and highways works) commencing simultaneously within these phases of residential development. Occupation of the first new home occurred in March 2022 with the following indicative forecasting through to June 2027;</p> <ul style="list-style-type: none"> <li>• Spine Road and new Goffs Lane S278 Site Access - now complete</li> <li>• First Show Homes – launched September 2021</li> <li>• Second Part L compliance Show Home – to be constructed in autumn 2022</li> <li>• First Home Occupation – March 2022</li> <li>• Oct 2021 – June 2022: 42 units completed</li> <li>• Forecasted July 2022 – June 2023: 50 units + shell and core retail unit</li> <li>• Forecasted July 2023 – June 2024: 60 units</li> <li>• Forecasted July 2024 – June 2025: 70 units</li> <li>• Forecasted July 2025 – June 2026: 70 units</li> <li>• Forecasted July 2026 – June 2027: 68 units"</li> </ul> <p>10 dwellings have been completed on this site during this monitoring period. Therefore, this site falls within Part A of the NPPF definition of deliverable.</p>
24	Rosedale Park - South of Andrews Lane	07/17/1267/O 07/21/0005/F 07/20/1068/F 07/22/0104/F	76	76	66	-10	<p>A Full application for 66 dwellings was granted on 16/12/21 and a further application for an additional 10 dwellings was validated on 19/11/20, but appears to have stalled with no updates available online since June 2021. a follow up to this stalled Full application was made valid on 01/02/22 and is currently under determination.</p> <p>A significant number of conditions relating to the Full application for 66 dwellings have been discharged. In accordance with the average lead in times (of 2.0 years for sites between 50-99 dwellings) demonstrated within the Lichfield review, the first delivery of homes is likely to be achieved in December 2023, with an average build out rate of 22 dwellings per annum. Consequently, it is considered 66 could be completed within the 5-year period, but not the additional 10 dwellings for which no permission has been granted.</p>	Agreed.	66	-10	<p>Construction commenced on site on 16/12/2021. Therefore, this site falls within Part A of the NPPF definition of deliverable.</p>
25	Cheshunt Football Club	APP/W1905/W/21/3271027	0	0	0	0	<p>An appeal was allowed relating to a Full application for the new Cheshunt Football Club Stadium, including the delivery of 163 dwellings, on 13/09/21. No discharge of condition applications have been submitted pursuant to this consent since and therefore evidence is required that delivery is feasible within the 5-year period.</p>	Agreed	0	0	N/A
26	Theobalds Brook Field (CH9)	07/18/0021/O	90	90	0	-90	<p>An Outline application seeking 87 residential dwellings was validated on 08/01/18. The last updates to the application webpage took place in March 2021, with the application appearing to have stalled. Given the lack of evidence to suggest that an outline permission is forthcoming, notwithstanding the following RM, discharge of conditions and construction lead in time required, it is considered that the completion of dwellings at this site within the 5-year period is unrealistic.</p>	Disagreed	90	0	<p>This site is owned by Hertfordshire County Council (HCC). An email from Ben Bowles, Senior Planning Officer, Growth &amp; Infrastructure, HCC, on 26/08/2022 confirmed that this site is working towards delivery in 2024/2025. Therefore, this site falls within Part B of the NPPF definition of deliverable. However, there is "clear evidence that housing completions will begin on site within 5 years." Which justifies its inclusion in the five year supply.</p>

27	East of Dark Lane (CH10)	07/18/0022/O 07/21/1176/RM	52	52	52	0	<p>An Outline application was approved on 24/08/21. This did not specify an exact number of dwellings, but showed 52 indicatively. Subsequently, a RM application pursuant to this Outline consent was approved on 01/04/22. Two discharge of condition applications relating to the Outline consent have been validated, with neither having been determined.</p> <p>Having regard to the typical lead in times from a detailed planning consent to the first completion of dwellings (2.0 years for sites between 50-99 dwellings), it is considered that the first homes will likely be delivered at the start of 24/25. Given the typical build out rates of 22 dwellings per annum, it is considered that the completion of all dwellings is achievable within the 5-year period.</p>	Agreed	52	0	<p>Reserved matters application (07/21/1176/RM) approved on 01/04/2022, but not included because it falls outside the monitoring period. An email from Ben Bowles, Senior Planning Officer, Growth &amp; Infrastructure, HCC, on the 30/08/2022 stated "I have just had confirmation from property colleagues that HCC are hoping to complete the sale of Dark Lane in November, which will imply a start in early 2023 and completion during 2024." Therefore, this site falls within Part B of the NPPF definition of deliverable. However, there is "clear evidence that housing completions will begin on site within 5 years." Which justifies its inclusion in the five year supply.</p>
28	Former Playing Fields (CH11)		150	105	0	-150	<p>No applications have been validated pursuant to the site allocation. Evidence of the feasibility of delivery is required. An email indicatively suggesting a timeframe to the completion of dwellings with no justification is not considered sufficient evidence of delivery.</p> <p>Dwelling figures appear to be duplicated within the AMR.</p>	Disagreed	75	-75	<p>This site is owned by Hertfordshire County Council (HCC). An email from Ben Bowles, Senior Planning Officer, Growth &amp; Infrastructure, HCC, on the 24/08/2022 stated "that the Eastern playing field site is still aiming for [completion] 24/25", after having consulted with his colleagues in the Property Planning Team. Therefore, this site falls within Part B of the NPPF definition of deliverable. However, there is "clear evidence that housing completions will begin on site within 5 years." Which justifies its inclusion in the five year supply.</p>
29	Land North of Bonney Grove (CH12)		100	50	0	-100	<p>No applications have been validated pursuant to the site allocation. Evidence of the feasibility of delivery is required.</p>	Agreed	0	-100	N/A
30	Borough Council Offices (CH13)	07/21/0668/F	75	75	39	-36	<p>A Full application for 49 dwellings was validated 27/05/21 and was approved at Planning Committee on 08/06/22, subject to the reinforcement of specific conditions. No decision notice for the application has yet been issued. No application has been validated pursuant to the remaining 26 dwellings of this allocation. According to the Lichfields review, typical lead in times, for site's of this scale, from a detailed planning approval is 2.0 years.</p> <p>On the basis of an approval being issued shortly and assuming the timely discharge of conditions, the first delivery of homes could likely be secured in 2024/25. As such, the Council's figures appear achievable.</p>	Agreed	39	-36	<p>Planning permission was granted at Planning and Regulatory Committee on 28/06/2022, outside the monitoring period. An email on 19/08/2022 from Kevin Clarke, Head of Strategic Projects, Broxbourne Borough Council stated that; "We are working in partnership with B3 Living towards commencement on site of external works in November/December this year. We then anticipate that the total construction period would be between 24 to 30 months." Therefore, this site falls within Part A of the NPPF definition of deliverable.</p>
31	Land South of Hammondsstreet Road (CH14)		45	0	0	-45	<p>No applications have been validated pursuant to the site allocation. Evidence of the feasibility of delivery is required.</p>	Agreed	0	-45	N/A
32	North of Goffs Lane (GO2) (Tina Nurseries)	07/18/1097/O 07/21/1174/RM	81	81	81	0	<p>An Outline application for 81 dwellings was approved on 23/10/19 and numerous discharge of condition applications have been submitted pursuant to this consent. Further, a RM application pursuant to this Outline was approved on 03/03/22. Despite the ongoing complexities with the Local Highways Authority, progress has been made towards a commencement on-site, indicating that the first delivery of dwellings by September 2023 is realistic.</p> <p>At a build out rate of 22 dwellings per annum, Lichfield's review would indicate that the delivery of the site would be complete by May 2027.</p>	Agreed	81	0	<p>An email on 16/08/2022 from Jamie Wragg, Managing Director of Matthew Homes stated "I am desperate to commence the development of the former Tina Nursery but we are being held up by Hertfordshire Highways for the discharge of a pre commencement condition relating the site access. As soon as this condition is discharged we will commence with house building as the demolition and site clearance has been completed. I anticipate that we should be built out within 2 years of commencing."</p> <p>In an email on 17/08/2022 from Matt Armstrong, Hertfordshire County Council Highways, he confirms that it is reasonable to estimate that this condition will be discharged within one year allowing an immediate start of construction on site to follow. Therefore, this site falls within Part A of the NPPF definition of deliverable.</p>

33	North of Goffs Lane (GO2) (Inex Site)	07/19/0160/O 07/19/0154/F 07/21/1277/F	105	21	153	48	<p>A Full application for 110 dwellings and a 78-bed care home was validated on 25/10/21 and an Outline application for 105 dwellings and a 78 bed care home was validated on 21/02/19. The Outline application, after first being recommended for refusal, was then recommended for approval subject to the submission to and clearance by the Secretary of State (SoS) and the completion of a Section 106 agreement. The SoS decided not to call in the application, however, no Section 106 appears to have been completed in relation to the site and no decision notice has been issued. The Full application was approved by committee subject to the completion of a Section 106 agreement.</p> <p>Due to the time required to complete this Section 106, submit and secure a number of discharge of condition approvals, and the construction lead in times, 3 full years of delivery for this site is considered realistic. Given the 55 dwellings per annum that Lichfield's review would suggest is typical for sites of this scale, the full delivery of the site is achievable.</p> <p>In light of the C2 equivalency ratio of 1.8, the proposed 78 bedspaces equate to 43 dwellings.</p>	Agreed	153	48	<p>Care Home - This application was approved at committee on 29/06/2022, outside the monitoring period. Confirmed by developer a email on 22/08/2022 from Alex Walker Robson, Director of Martin Robeson Planning Practice stating "Our client has confirmed that the projected commencement and completion dates are as follows: Commencement: Q1 2023 &amp; Completion: Q1 2026." Therefore, this site falls within Part A of the NPPF definition of deliverable.</p> <p>Residential - This application was also approved at committee on 29/06/2022, outside the monitoring period and will also be completed by Q1 2026. in accordance with the above application this site also falls within part A of the NPPF definition of deliverable.</p>
34	South of Goffs Lane (GO3)	07/19/0835/F	51	51	51	0	<p>A Full application for 51 dwellings was approved on 27/04/21 with numerous conditions having been discharged. The AMR predictions align with the typical lead in times and build out rates for sites of this scale. Consequently, the figures within the AMR and provided by the Council for this site are considered realistic.</p>	Agreed	51	0	<p>Construction has commenced. An email from Liz Fitzgerald, Director, Barker Perry, on 16/08/2022 stating "I can confirm that development is underway. The show home will be available from November 2022 with first occupations now expected January 2023. Completion is expected September 2023." Therefore, this site falls within Part A of the NPPF definition of deliverable.</p>
35	Newgatestreet Road (GO4)	07/20/1220/F	38	38	38	0	<p>A Full application for 38 dwellings was approved on 06/08/21. The Council have highlighted that construction has commenced on site. Accordingly, the AMR figures indicating the full delivery of the 38 dwellings within the 5-year period appear realistic.</p>	Agreed	38	0	<p>Construction commenced on site on 31/03/2022. Therefore, this site falls within Part A of the NPPF definition of deliverable.</p>
36	North of Cuffley Hill (GO5) (C.G Edwards)	07/18/0363/F	23	23	4	-19	<p>A Full application for 23 dwellings was approved on 12/07/19. A significant number of conditions have been discharged in accordance with the decision notice and a number of dwellings have been completed. As such, the Council's figures relating to the site are realistic.</p>	Agreed	4	-19	<p>Construction on site commenced on 14/02/2020. Construction is almost finished, with 19 completions during the monitoring period, as outlined in Appendix E Therefore, this site falls within Part A of the NPPF definition of deliverable.</p>

37	North of Cuffley Hill (GO5) (Appeal Site)	07/19/0200/F APP/W1905/W/22/3300254	84	84	58	-26	A Full application for 58 dwellings was refused on 09/02/22. This decision was then appealed and forms the basis of this inquiry. The anticipated dwelling completions within the AMR are agreed for the year 2024/25 and 2025/26, however, it should be noted that the AMR appears to erroneously attribute an additional 26 dwellings to the site during 2026/27.	Disagreed	0	-84	N/A
38	Scania House (HOD2) First floor	07/19/0204/PNRES 07/19/0653/F	24	24	0	-24	Prior Notification for the change of use of offices to 24 dwellings was granted on 30/04/19. A Full application for 62 dwellings was subsequently refused on 07/04/20. No discharge of condition applications have been validated pursuant to the grant of Prior Approval and the 3 year time period of the approval has elapsed. Consequently, the site does not benefit from an extant permission nor has the conversion been (lawfully) implemented.  No applications have since been validated pursuant to the site allocation. Evidence of the feasibility of any dwelling completions within the 5-year period is therefore required.	Agreed	0	-24	N/A
39	Scania House & Amwell Street(HOD2)		36	0	0	-36	No applications have been validated pursuant to this residential provision. Evidence of the feasibility of delivery is required.	Agreed	0	-36	Application removed from trajectory
40	Former Hoddesdon Police Station (HOD3)	07/22/0252/O	30	30	0	-30	A Hybrid application for 43 dwellings (4 detailed and 39 outline) was validated on 28/06/22. There are presently holding objections from statutory consultees including the Local Highways Authority. Evidence of delivery is therefore required.	Agreed	0	-30	N/A
41	Turnford Surfacing Site (HOD4)	07/20/0467/F	104	104	55	-49	A Full application was approved by committee on 15/12/20 subject to the completion of a Section 106 Legal Agreement. The application webpage does not indicate that such an agreement has been finalised since, and no decision notice appears to have been issued for the application.  In light of the lack of progress made in relation to the decision notice in the intervening years, evidence is required demonstrating that there is a realistic prospect of the site being developed in the immediate future. Further to securing a permission, a number of conditions will need to be discharged, whilst the construction lead in time for sites of this scale is typically 1.9 years. We have therefore concluded that only a single year of delivery is achievable within the 5-year period without evidence of a forthcoming approval.	Disagreed	104	0	Planning permission was granted at Planning and Regulatory Committee on 15/12/2020. Further evidence was sought from the developer however; they were unable to provide any within the Inquiry timetable because of annual leave. If evidence is provided at a later stage it will be submitted.



42	East of Dinant Link Road (HOD6)		70	70	0	-70	The Council appear to have erroneously duplicated the number of dwellings allocated to the site within the AMR. No applications have been validated pursuant to the site allocation, however, construction works relating to a new road layout/bridge appear to be ongoing within the site boundary. Evidence of the feasibility of delivery is required.	Agreed	0	-70	N/A
43	High Leigh (HOD7) - Housing only	07/13/0899/O 07/20/0046/RM 07/21/0405/RM 07/22/0504/F 07/22/0544/F	535	450	340	-195	An Outline application for up to 523 dwellings was approved on 02/04/15. Numerous discharge of condition applications and RM applications have been submitted and approved in relation to this Outline consent, with building operations having begun on site. The following RM applications are available on the Council's webpage:  07/20/0046/RM (100 dwellings) - Approved 02/10/20 and conditions discharged.  07/21/0405/RM (141 dwellings) - Approved 01/10/21 and conditions discharged.  07/22/0504/F (54 dwellings) - Validated 18/05/22.  07/22/0544/F (110 dwellings) - Validated 26/05/22.  For sites between 500-999 dwellings, lead in-times from detailed planning approval typically comprise 1.7 years, whilst build out rates are typically 68 dwellings per annum. Therefore, the dwellings benefitting from a detailed consent could realistically be completed within the 5-year period.  However, even assuming the timely approval and discharge of conditions relating to the validated full applications, the typical build out rates would suggest only 340 dwellings would be completed within the 5-year period. The Council are anticipating the delivery of dwellings within 5 years for which no detailed applications have been validated, which is not considered realistic.	Disagreed	449	-86	Phase 1 - Construction has commenced 13/11/2020. 36 dwellings were completed during this monitoring period, as outlined in Appendix E. Therefore, this site fall within Part A of the NPPF definition of deliverable.  Phase 2 - Construction has commenced 14/01/2022. Therefore, this site fall within Part A of the NPPF definition of deliverable.  Net After First and Second Phases - Please note there was an error in the document entitled "Five Year Housing Land Supply - Fairmead & Rosemead Public Inquiry" - it incorrectly entitled this entry "High Leigh Garden Village - Housing only - net after Phase 2". However, this entry accounts should read "net after the first and second residential phases".  Construction has commenced on the first two residential phases of this development accounting for 240 dwellings. 36 dwellings were completed during this monitoring period within the first residential phase, as outlined in Appendix E. A reserved matters application for the third residential phase (07/22/0544/F) for 100 dwellings is currently under consideration and was registered on 26/05/2022, outside the monitoring period. A second reserved matters application for the fourth residential phase (07/22/0504/F) for 54 dwellings is also under consideration and was registered on 18/05/2022, again outside the monitoring period.  The remaining 81 (of a total site allocation of 485) have been included in the five year supply because the initial phases, of both construction and planning, have shown rapid progression.  Therefore 164 dwellings (phases three and four), of this site fall within Part A of the NPPF definition of deliverable. The remaining 81 dwellings fall within Part B of the NPPF definition of deliverable. However, there is "clear evidence that housing completions will begin on site within 5 years." Which justifies its inclusion in the five year supply.
44	High Leigh (HOD7)64 Bed Care Home	07/13/0899/O	64	0	0	-64	The Outline application above also included the provision of a care home up to 80 bedspaces. No RM application for this aspect of the wider development has been validated thus far. Consequently, the AMR is considered to accurately reflect that this is unlikely to be delivered within the 5-year period.  As above, the Council have counted C2 bedspaces as equivalent to dwellings. The Planning Practice Guidance 'Housing Supply and Delivery' indicates this is an incorrect approach. It is for the Council to apply a correct ratio based on Census data and reduce the number of dwellings represented accordingly.	Agreed	0	-64	N/A
45	Westfield Primary School (HOD8)	07/19/0011/O	37	37	0	-37	An Outline application for 37 dwellings was approved 15/07/21. No RM or discharge of condition applications appear to have been validated pursuant to this Outline approval. Given the limited progress being made towards the discharge of conditions and eventual implementation of the outline and any future RM consents, evidence of the feasibility of any dwelling completions within the 5-year period is therefore required. An email from the developer suggesting indicative timeframes is not considered sufficient evidence that full delivery is achievable within the 5-year period.	Disagreed	37	0	Development of this site is contingent on the completion of the new primary school as part of the High Leigh development. In an email on 12/08/2022 from James Bradbury, Senior Development Manager, Telereal Trillium (developer for the wider High Leigh scheme) he states: "We are currently expecting to reach 85 occupations during September 2022, and at this point it will trigger the S106 obligation for the land to be transferred to the school. Our understanding is that then the School will then commence (continue) their detailed design and tendering the works. We believe they wish to make a start next year Q2/Q3 with aim to then open in September 2024." An email from Ben Bowles, Senior Planning Officer, Hertfordshire County Council on 17/08/2022 confirms the above.  Given that the new school will open in September 2024 it is reasonable to estimate that construction will commence on the Westfield primary school site in August 2024. It is also likely that the 37 dwellings will be completed before 2026/27.  Therefore this site falls within Part B of the NPPF definition of deliverable. However, there is "clear evidence that housing completions will begin on site within 5 years." Which justifies its inclusion in the five year supply.

46	Waltham Cross Northern High Street		300	0	0	-300	The Council's AMR appears to indicate that 300 dwellings will be completed by the end of 2032/33. It is assumed the further 150 dwellings are what the Council anticipate on the 'Land west of Sturlas Way' under Policy WC2 part (b). No applications have been validated pursuant to this allocation. Evidence of the feasibility of delivery is required.	Agreed	0	-300	N/A
47	Theobalds Grove Station (WC3)		50	0	0	-50	No applications have been validated pursuant to the site allocation. Evidence of the feasibility of delivery is required.	Agreed	0	-50	N/A
48	Britannia Nurseries (LV6)	07/16/1354/RM	0	0	0	0	Site complete	Agreed	0	0	N/A
49	Minor Commitments		N/A	N/A	187	N/A	A number of minor applications relied upon have lapsed or do not pertain to additional dwellings.	Disagreed	206	N/A	N/A
51	Windfall Sites		770	350	210	-560	The Council have added a windfall allowance of 70 dwellings per annum on top of the existing major and minor commitments over the 5-year period. Whilst this allowance may be appropriate for the later half of the 5-year period, windfall sites which will be constructed in the years 2022/23 - 2023/24 will likely have commitments/approvals in place already. Accordingly there is an element of double counting in these respective years.  A more accurate approach would be to apply the committed developments to the first two years of the 5-year period, then allocate the windfall allowance for the remaining 3 years. This will prevent a significant amount of double counting for windfall sites, resulting in a reduction of 140 dwellings across the 5-year period.	Disagreed	350	-420	N/A
52	Self-build		25	25	15	-10	As with windfall sites, there is likely a degree of double counting as self-build dwellings to be constructed within the first two-years of the 5-year period are likely to already have consent and therefore already be accounted for as Minor Commitments. Indicative of this are the self build plots highlighted within the Minor Commitments schedule overleaf.	Disagreed	25	0	
TOTAL - DISAGREED					2684	-5209			4724	-3188	
<b>OVERALL TOTAL (Deliverable Sites)</b>					<b>2,684</b>				<b>4,724</b>		
					<b>APPELLANT</b>				<b>COUNCIL</b>		