



BioPark Planning Appeal

Proof of Evidence

Welwyn Garden City Society

Affordable housing & Mix of housing

Mr Justin Gardner BSc MSc

1. Introduction and Summary

1. I am Justin Gardner and, on behalf of the Welwyn Garden City Society (WGCS), I discuss the issues of affordable housing provision and the mix of housing to be provided, with regard to the Council's first reason for refusal. I confirm that this Proof of Evidence only contains my true professional opinions.
2. I run my own consultancy - Justin Gardner Consulting - which I formed in 2009 having worked previously for a consultancy - Fordham Research. I have a BSc in social statistics from the University of Southampton and an MSc in demography from the London School of Economics. I have over 20 years' experience in assessing housing needs and housing requirements. This includes undertaking housing needs studies, Strategic Housing Market Assessments and preparing demographic projections. My consultancy (often working in association with other companies) has advised around 100 local authorities in England on identifying housing needs over the past five years and many more in the period since the change of government in 2010.
3. This proof focuses on the first of the three reasons for refusal, namely 'The proposed housing tenures and mix (including affordable housing) would fail to meet the objectively assessed need (OAN) for housing in the borough and would not contribute to creating a sustainable, inclusive and mixed community. As such, the application is contrary to Policy SP 7 of the emerging local plan'.
4. The proof supports the comments from the WGCS in their Statement of Case regarding provision of affordable housing and the mix of housing – the proof also draws on the appellant's Statement of Case and the Housing Mix Statement of Common Ground (SoCG) from 8th June 2022.

5. It is clear there is a substantial need for affordable housing in the Borough (this is not disputed by the appellant) but the scheme proposes to only provide 10% of units as affordable housing (against a Council Policy for 30%). There are a number of other recent schemes in the area where higher levels of affordable housing have been achieved and I consider that this site could and should provide a greater level of affordable provision.
6. The mix of housing proposed is heavily skewed towards smaller units (88% to be 1- and 2-bedroom homes); this is despite the Council's evidence (to which regard needs to be given in policy terms) showing a need for around 64% of homes to have 3+-bedrooms. Evidence agreed between the Council and the appellant shows high delivery of smaller units in the recent past and my own calculations (based on Council/appellant data) show a current (as of 2021) surplus of 94 1- and 2-bedroom homes and a shortfall of 3,461 homes with 3+-bedrooms. New provision now must focus on providing the much needed family sized units.
7. Furthermore, it is clear that sites recently developed or in the pipeline in this location are already providing a very high proportion of smaller units and therefore this site should seek to provide a more balanced housing offer. The evidence therefore points to a need for larger (3+-bedroom) homes both Borough-wide and in the general vicinity of BioPark.
8. The fact that the appellant is only providing 10% affordable housing will also have an impact on the recommended mix (as the mix needed for market homes if generally for larger properties) and this again points to a requirement for this site to be providing a better mix (more larger homes) rather than the mix being proposed.
9. Overall, I support the Council in refusing planning permission. This site should be providing a greater proportion of affordable housing and a mix of homes containing more larger properties. The site as proposed is demonstrably not policy compliant nor providing a housing offer that is consistent with the Council's evidence base.

2. Relevant Planning Policy

10. The National Planning Policy Framework (NPPF), the most recent revision of which was published in July 2021, is a material consideration in planning decisions. Its housing policies are principally set out in Section 5.
11. NPPF paragraph 60 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed. In respect of the latter, paragraph 62 states that:

“the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)”.

12. This makes clear that policies regarding both the tenure and size of homes are expected to be set out by Councils within local plans and this is the case in Welwyn Hatfield with the most recent draft of Policy SP7 stating:

“Housing Mix

Proposals for 10 or more new dwellings should demonstrate how the mix of tenure, type and size of housing proposed on sites will reflect has had regard to the council’s latest evidence of housing need and market demand and contribute towards meeting the varied needs of different households including single person households, couples, families with children, older people, people with disabilities and people wishing to build their own homes. For larger sites, there should be a greater opportunity to deliver a broader mix.”

13. Given that this site is proposed to be delivering 289 residential units, it is clear that regard should be given to local evidence of need. The evidence from various local Strategic Housing Market Assessments (SHMA) is:
- a. a significant need for affordable housing (arithmetically well in excess of half of all housing to be delivered) and
 - b. that a substantial proportion of units should be family-sized (3+-bedroom) homes. For clarity, the site is proposing just 10% affordable housing and 88% of units as 1- and 2-bedrooms.

3. Affordable Housing Need

14. The WGCS highlight there is a substantial need for affordable housing in the Borough and that this scheme is proposing to provide only a fraction of the level required by Council Policy (10% versus 30% in policy). The WGCS has also highlighted a number of sites where significantly higher levels of affordable housing has been achieved, suggesting there is no reason why this site could not provide the 30% requirement (or at least significantly more than 10%).
15. The significant need for affordable housing can be seen from the Council’s evidence, with the following quote being taken from the SHMA Update of 2017: ‘The 2015 SHMA Partial Update included a revised calculation which took account of the latest available data provided by the Council, concluding that 755 affordable homes are needed annually over five years before falling to 539 affordable homes annually once the backlog is cleared’.

16. It seems likely the appellant will argue that it would not be commercially / financially viable to develop a city centre windfall site of this size - requiring demolition of a large office building - for family housing. This being the case the appellant should have factored this into the price paid for the site so that it covered build costs and Council policies (i.e. the 30% affordable housing). If they have overpaid for the site then this is not a price the local community should have to pay through reduced affordable housing provision.
17. As noted in the WGCS statement of case, there is a local precedent on affordable housing from 2009 when the Council refused planning permission for a proposed development of the 'Mirage' site, immediately adjacent to the BioPark. The developer of the Mirage site submitted a new application in 2010 offering 25% affordable housing if a grant was available from the Homes and Communities Agency, or 15% if no grant was available. This planning application was approved. The Council has recently confirmed to WGCS that 53 units were subsequently provided as affordable housing on the Mirage site, therefore a level of 25% was achieved. The Appeal decision can be found in Appendix V of the WGCS statement of case.
18. Since 2009/10, property values (sales prices) in Welwyn Hatfield have increased significantly, from a median of £232,000 in the year to September 2010, up to £420,000 in the year to September 2021 (data from ONS). It therefore seems unlikely that viability has worsened since the Mirage scheme was approved.
19. On the basis of the high level of need (which does not seem to be disputed) and the fact it seems likely a higher level of provision could be achieved, I support the Council in this reason for refusing planning permission.

4. Housing Mix

20. The mix of housing proposed on this site is predominantly smaller units – 88% having 1- or 2-bedrooms. This is despite the Council's evidence (which again does not appear to be disputed by the appellant) showing a need for in excess of 60% all homes to be 3+-bedrooms (similar figures from a range of SHMA studies carried out by the Council by Turley).
21. Just from this brief analysis it is clear that the proposal is not providing a mix that is anywhere close to the need shown in the SHMA's. To some extent this would not matter if there had already been significant development of larger (3+-bedroom) homes, or if more locally there was clear evidence of a need for smaller units (e.g. a lack of recent delivery).
22. However, this is clearly not the case. In the SOCG, the Council and appellant agree on housing completions in the Borough from 2013 to 2021 (Table 5). This shows a total of 3,255 completions, of which only 20% were delivered as 3+-bedroom homes (there were a further 9% described as 'other'). This clearly demonstrates the lack of

delivery of family sized accommodation and the need to maximise delivery in the future where opportunities arise (such as on this site).

23. The appellant also picks up this issue in their statement of case (see Appendix 10) where they clearly recognise the significant recent delivery of smaller units in the Borough. The mix analysis begins by recognising both national and local policy on this matter (as articulated above) and highlights emerging Council policy as requiring a developer to have regard to the Council's latest evidence. The Appendix continues to set out a range of statistics (discussed below) but simply does not demonstrate that the proposal has in any way had regard to the Council's policy.

- a. In Table 13, the appellant sets out the number of units to be provided and also the number that would be provided if the proposal followed the Council's latest evidence. The outcome is stark – showing the site is proposing to provide 153 1-and 2-bedroom units in excess of that shown as being needed by the evidence.
- b. Table 14 then shows over the 2015-20 period that only 23% of all delivery was of 3+-bedroom homes (plus 6% other) compared with the latest evidence (as contained within the appellant's own document) showing a need for 64% to be of this size.
- c. Table 15 then shows recent delivery versus the delivery that would have been needed if completions had been provided in line with the Council's latest evidence. This shows (as of 2020) a total shortfall in delivery of 1,647 homes, but that there has already been an overprovision of 1- and 2-bedroom properties (of 153 units) – there is a current shortfall of 3+-bedroom homes (as measured by the appellant) of 1,924. This data alone would seem to show the pressing need to provide family accommodation rather than more smaller units.

24. We can update the appellant's analysis using completions data in the SoCG with this shown in the table below. This shows a surplus of delivery of 1-bedroom homes (and a small shortfall of 2-bedroom) although combined the smaller units have a 94 surplus. For larger units however, the level of shortfall has increased dramatically, to a total of 3,461, compared with the appellant's evidence previously showing a shortfall of 1,924. This further demonstrates the need to prioritise larger units at every opportunity.

TABLE 1: Comparison of Housing Delivery with identified need

Units	SHMA identified housing need (800 dpa) (2013-32)	Delivered (2013-21)	Diff.	SHMA identified housing need (800 dpa) (2013-21)	Delivered (2013-21)	Diff.
1-bed	1,560	1,002	-558	832	1,002	170
2-bed	2,640	1,332	-1,308	1,408	1,332	-76
3-bed	4,920	350	-4,570	2,624	350	-2,274
4-bed	2,760	285	-2,475	1,472	285	-1,187
Other	0	286	286		286	286
Rounding	120		-120	64		-64
Total	12,000*	3,255	-8,745	6,400*	3,255	-3,145

Source: Derived from appellant Statement of Case of the Housing Mix SoCG

*Although the total of 12,000 'housing need' was quoted by the Appellant in its statement of case, their detailed numbers added up to 11,880 (due to using rounded percentages adding up to 99%). Likewise their second total of 6,400 'housing need' should have been 6,336, per the detailed numbers. To correct the overall table, rounding adjustments have been included above).

25. To try and justify the need for more smaller units the appellant states 'It is not right to assume that all development schemes will achieve the exact mix suggested in the SHMA, nor does that evidence base assume it will happen'. Whilst this is true, it is clearly the case that the scheme is completely at odds with the evidence base, whilst small adjustments could be reasonable, it is not reasonable to propose a scheme where 88% of units have 1- or 2-bedrooms against a backdrop where the appellant's own evidence shows a current surplus of this size of accommodation. Even if we were to look at need up until 2032, and based on past delivery, the data shows a need for only 21% of additional homes to have 1- or 2-bedrooms (calculated as $(558+1,308)/8,745$) – this is a somewhat different figure to the 88% being proposed.
26. Finally, on this topic we can look at development in the area local to the appeal site. Generally, we would consider that if a specific location has already seen significant development of a particular type of housing (in excess of that needed by the evidence base) then additional sites coming forward would be expected to provide a better mix to help balance the local housing offer – this could include areas where development has been 'executive' family homes or with high proportions of flatted development.
27. Locally, there are two major sites directly to the north of BioPark, which have proposals for or are under-development for substantial quantities of housing. It is

understood that the Shredded Wheat (North) site will provide 811 units, of which 96% are 1- or 2-bedroom flats, with the Shredded Wheat (South) site providing 643 units (90% 1- and 2-bedroom flats). There are other sites in the area, including sites at 29, 37 and 45 Broadwater Road which will provide 152 flats and 104 residential care bed spaces – of the 152 flats, some 99% (all bar 2) are to be 1- or 2-bedroom flats.

28. From this it is clear that not only is the appeal site not providing a mix that is anywhere near the mix shown as being required in the Council's evidence base, but it is also being provided on top of a significant level of development of smaller units in the area already. Clearly the opportunity exists with this site to provide more larger homes and to help balance the housing offer, both locally and across the Borough.

5. The link between affordable and market needs

29. One point that seems to have been overlooked by the appellant is the different needs in the market and affordable sectors – this is despite relevant material having been provided in the Statement of Case Appendix 10. Two relevant tables are provided below. The first (Table 10) shows the overall mix of housing required in all tenures, with the second (Table 11) providing the same information for just affordable housing

Table 10 - Extract SHMA 2017 Implied Size of Housing Required 2013-2032

	1-bed	2-bed	3-bed	4+bed	Total
Size of Housing Req'd	13%	22%	41%	23%	100%
SHMA Housing need 2013-2032	1,560	2,640	4,920	2,760	11,880

Table 11 - Extract SHMA 2017 Implied Size of Affordable Housing Required 2013-2032

	1-bed	2-bed	3-bed	4+bed	Total
Implied Size of Housing Req'd	39%	24%	28%	9%	100%

30. The second table above does not translate the percentages into an identified need (as is done in Table 10) but we can do this by making the assumption that 30% of housing (Borough-wide) should be delivered as affordable housing – 30% of 12,000 homes is 3,600 and the table below shows the need and therefore what the residual market need would be.

31. This clearly identifies that market needs (according to the Council's evidence base which does not appear to have been challenged by the appellant) are very strongly focussed on larger homes, with a need for 77% of all homes to be 3+bedroom. The analysis also shows that virtually all of the 1-bedroom need is for affordable housing, with a very low market need (just 2% of all new/additional market properties).
32. The Council's evidence base points to a need for just 156 market 1-bedroom homes to be provided in the 2013-32 period, with the high likelihood that these (and many more) have already been delivered. There is no evidence that additional 1-bedroom market units should be provided on new development sites at present.
33. Additionally, if the appellant is restricting affordable delivery to just 10% of all homes then a commensurate response would be to provide a larger housing mix (as 90% of homes will be in the market, which as shown below has a need profile very heavily skewed to larger homes). Despite this finding (which has been drawn from information provided by the appellant in their statement of case) the appellant is actually proposing to push the mix very heavily towards smaller homes, clearly at odds with the Council's evidence base and any interpretation of that evidence base.

Table 2: Implied need for market housing by size (2013-32) – Welwyn Hatfield

Dwelling type	Affordable need	Total need	Implied market need	% of market need
1-bed	1,404	1,560	156	2%
2-bed	864	2,640	1,776	21%
3-bed	1,008	4,920	3,912	47%
4+bed	324	2,760	2,436	30%
Total	3,600	11,880	8,280	100%

Source: Derived from data and tables in appellant's statement of case

6. Declaration

34. I am satisfied as to the accuracy and truth of the matters put forward in this proof. The proof includes all facts which I consider to be relevant to the opinions I express and I have drawn attention to any matter which would affect the validity of those opinions.