

St Albans Council's Draft Local Plan Examination



Hearing Statement – Stage 1

Ref: ELP/HS/0425

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Personal Statement and Declaration

I have a BA (Hons) in Geography and an MSc in Urban and Rural Planning and I am a Chartered Member of the Royal Town Planning Institute.

All the information and evidence in this Statement have been prepared by me and are given in accordance with the guidance of the RTPI and I confirm that the views expressed are my genuine professional opinions.

For the sake of transparency, I declare, first, that my wife is a Council Officer and secondly, that I am the Promoter for Addison Park, a scheme for 330 affordable houses for Key Workers, approved in March 2024 but subject to a Judicial Review. This is one of the sites contributing to the 2,365 houses on which the Council's Housing Trajectory relies (see paragraph 2.3 of this Statement).

Brian Parker, April 2025



1 Summary

- 1.1 In its Examination Guidance Notes for Stage 1, the Examining Inspectors advised (paragraphs 26-28):

“Any representors who have made comments seeking a change to the Plan and who are invited to the hearing sessions may also submit Hearing Statements ...

Statements should be concise and focused, and appendices should only be included where directly relevant and necessary. There is no need to re-submit previous consultation responses as part of Hearing Statements ...

Statements should only answer the specific Questions which are directly relevant to the original representation and should clearly identify the relevant topic to which they relate. Statements should be concise and provided for each Matter separately. There is no need to repeat or reproduce previous comments.”

- 1.2 Please find below my Statement which answers specific questions, does not reproduce previous comments and includes one Appendix which is considered necessary and which was only published this month.

2 Matter 2 – Housing Growth and Spatial Strategy

Issue 2 – The Housing Requirement

16. In response to the Inspectors' Initial Questions, the Council states that a stepped housing requirement is justified to allow sufficient time for the significant uplift in housing delivery to be realistically delivered. The stepped requirement is proposed as 485 dwellings per annum for the first 5 years post adoption of the Plan, rising to 1,255 dwellings per annum in years 6-10. Q1 What is the justification for a) the level of housing proposed in the first 5 years post adoption, and b) the significant uplift from 485 to 1,255 dwellings per annum thereafter?

Are the figures justified?

2.1 In its response to the Inspector's Questions, dated 28th February 2025 (Ref. No: SADC/ED34), the Council wrote:

"The relatively lower housing requirement of 485 net dwellings per annum in years 1-5 (post adoption) of the plan period from 2026/27 to 2030/31 corresponds with the relatively lower level of housing land supply in this period. The supply in years 1-5 (post adoption) is sourced primarily from existing planning permissions (annual average of 198 net dwellings per annum including -8% lapse assumption) and the annual windfall allowance of 145 net dwellings per annum" (emphasis added)

2.2 This is how the Council explains how the majority of its proposed housing requirement for years 2026/27 to 2030/31 has been calculated: by adding the existing planning permissions to the windfall allowance. However, neither of these elements are sufficiently justified.

Existing Planning Permissions

2.3 The Housing Trajectory (Table 3.2 of the Draft Local Plan), relies upon 2,365 dwellings being delivered during the Plan Period from "Permissions - Estimated Future Completions". This includes 1,077 during the first 5 years Post-Adoption.

2.4 That figure of 2,365 conforms with the Council's "Permissions Sites Addendum", April 2025, included as Appendix 1. An analysis of the Sites Addendum reveals that 1,125 of those houses received Permission on Appeal. Thus, instead of the Housing Trajectory being positively prepared the Council has invested considerable time and money in trying to prevent the delivery of many of the planning permissions on which it now relies.

2.5 To be clear, if the Council had its way, it would now be asking the Inspectors to regard as "sound" a Post-Adoption Housing Requirement far lower than 485 dpa.

- 2.6 For a Housing Requirement to be based on the number of houses a Local Planning Authority failed to prevent, would bring the planning system, in general, and the Examination process, in particular, into disrepute.

Windfall Allowance

- 2.7 A Windfall Allowance of 73 dwellings appears in 2026/27. Thereafter, Windfalls are relied upon to deliver 145 dwellings each year.
- 2.8 I can see no evidence or explanation in the Council's 2024 AMR justifying this figure.
- 2.9 The Council relies on 653 houses being delivered by Windfall Allowance in the first 5 years Post-Adoption. This is equivalent to 1.3 years of a 485-dwelling Annual Housing Requirement. Full and compelling justification is required before any reliance can be put on these numbers.

Conclusion

- 2.10 The answer to the Inspector's Question is: No, the figures are not justified. The desperately low stepped "requirement" of 485 dwellings per annum is only as high as it is because the Council failed in its attempt to prevent the delivery of new housing and, furthermore, it requires more than a year's worth of the 5-year housing land supply to come from Windfall Allowance.
- 2.11 For the Planning Inspectorate to recommend a Local Plan be Adopted under these circumstances would reward an unsound and demonstrably negative approach to meeting the housing needs of local people.
- 2.12 The Council has failed to plan for sufficient dwellings in the first 7 years of the Plan Period and, so, the Inspectors should find the Plan unsound and recommend it be Withdrawn.

3 Matter 3 – Green Belt

Issue 2 – Green Belt Review

Green Belt Methodology

26. The approach in the Plan has been informed by the Stage 2 Green Belt Review 2023 (GB 02.02). That followed an earlier Green Belt Review Sites and Boundaries Study in 2013 and 2014 (GB 04.03 and GB 04.04). In response to the Inspectors' Initial Questions, the Council provided a consolidated list of all Green Belt changes proposed in the submitted Plan. 14 Q1 How does the methodology in the 2023 Stage 2 Green Belt Review differ from the earlier studies in 2013 and 2014 referenced above?

Q3 Is the methodology by which sites have been assessed in the Stage 2 Green Belt Review sufficiently robust and transparent to support the proposed boundary revisions? If not, what approach should have been used and why?

- 3.1 On page 34 of its Green Belt Review, Ove Arup & Partners Ltd (Arup) acknowledged that in assessing Purpose 2 'To prevent neighbouring towns from merging into one another', the Stage 1 SKM Review assessed the towns of St Albans, Harpenden, Hemel Hempstead, Hatfield, Welwyn Garden City, Watford, Luton, Dunstable and Radlett.
- 3.2 However, when Arup assessed areas against Purpose 2, it decided that it would treat certain villages as towns, too (page 34 including Table 4.7 "Settlements for Purpose 2 Assessment"). Arup's justification for doing so was "reflecting experience elsewhere ...".
- 3.3 Irrespective of what Arup may have experienced elsewhere, there is no justification, whatsoever, in disregarding (a) the wording of National Policy and (b) the Council's Settlement Strategy (Draft Local Plan, Table 1.3), by treating villages as towns.
- 3.4 The fact is, Green Belt Purpose 2 expressly refers to towns, so, neither 'villages' nor 'settlements': it always has done. The Government's Planning Practice Guidance updated in February 2025 does not change a word of policy, it merely clarifies that which was obvious: Purpose 2 refers to towns not villages.
- 3.5 By treating certain villages as towns, Arup failed to apply national Green belt policy properly and, consequently, failed to assess dozens, and maybe hundreds, of sites properly.

Conclusion on GBR Methodology

- 3.6 The answer to the Inspector's Question is: No, the methodology by which sites have been assessed in the Stage 2 Green Belt Review is not sufficiently robust to support the proposed boundary revisions.

'Washed Over' Villages

Paragraph 149 of the Framework states that if it is necessary to restrict development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt.

Q8 How has the Council considered 'washed over' settlements within the Green Belt? Are any changes proposed and/or necessary based on the evidence presented?

- 3.7 The answer to the Inspector's first Question is: the Council has considered 'washed over' settlements very poorly and in some cases, contrary to its own guidance, resulting in recommendations which defy explanation.
- 3.8 The answer to the Inspector's second question is: Lots of changes are necessary. Many villages lack any reasonable degree of openness and should be excluded from the Green Belt. In addition, many of the village boundaries recommended by Arup should be ignored and new boundaries drawn to represent the actual extent of the villages as experienced on the ground (see cover photo).
- 3.9 Conscious of the Inspectors' request not to reproduce previous comments, I refer the Inspectors to Section 3 of my submission at the Regulation 19 Stage "Policies LG8 and LG9 – Appropriate Development in the Green Belt".

4 Conclusion

- 4.1 The Local Plan process offers an opportunity for Councils to “*provide a positive vision for the future*” of the area they serve and for the people they represent. Once again, St Albans Council has spurned that opportunity.
- 4.2 The Council seeks to rely on an unambitious housing requirement for the first 5 years Post-Adoption. However, that “*requirement*” would be far lower if the Council had succeeded in preventing desperately needed houses from being Allowed at Appeal. Simply put, the Plan has been Negatively Prepared.
- 4.3 The Council also seeks to rely on a Green Belt Review which disregarded National Policy by assessing villages as towns and which drew up boundaries for ‘washed over’ villages in a manner which can only be described as irrational.
- 4.4 Consequently, the Plan fails the test of Soundness and the Examining Inspectors should invite the Council to Withdraw it and minimise any further costs and delay.
- 4.5 In accordance with Paragraph 236 of the NPPF, the Council should already be working on a new Local Plan “*under the revised plan-making system ...*”. The current Draft Local Plan should be consigned to history and the Government invited to intervene to make that new Local Plan a sound one:

“I will not hesitate to use my powers of intervention should it be necessary to drive progress – including taking over an authority’s plan making directly.”

The Deputy Prime Minister, Written Ministerial Statement, 30th July 2024

Brian Parker

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April 2025

Appendix (separate document)

Appendix 1 – Permissions Sites Addendum, April 2025