

# HEARING

## STATEMENT

### **St Albans City and District Local Plan**

### Matter 3 – The Green Belt

**On behalf of**  
Beechwood Homes Contracting Ltd  
(Respondent no.332)

April 2025

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## 1. INTRODUCTION

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- 1.1 This Hearing Statement has been prepared on behalf Beechwood Homes Contracting Ltd (hereafter Beechwood Homes) in response to questions set out in Matter 3 (The Green Belt) of the Matters, Issues and Questions published in respect of the examination of the St Albans City and District Local Plan ('the Draft Local Plan' or 'DLP').
- 1.2 This Hearing Statement includes responses to specific questions under Issue 1 (Principle of Green Belt Release), Issue 2 (Green Belt Review) and Issue 3 (Exceptional Circumstances).
- 1.3 Beechwood Homes have land interests at Verulam Golf Club ('the Site') which is proposed for allocation in the DLP (Allocation M8) for residential development.
- 1.4 Representations were made on the Regulation 19 Publication Draft Local Plan by Beechwood Homes and in respect of the Site (respondent no.332), through which changes to the plan were sought.
- 1.5 Matters raised within this Hearing Statement seek to avoid repeating points already made in the representations made on the Regulation 19 iteration of the DLP, unless they expressly relate to the Matters, Issues and Questions published.
- 1.6 Our position is that the DLP is capable of being made sound, but that modifications are required to ensure this is the case.
- 1.7 Under the 2024 NPPF transitional arrangement, it is recognised that the DLP will be examined in relation to national policies contained in the December 2023 NPPF. Consequently, unless expressly stated otherwise, references to the NPPF in this Hearing Statement refer to the December 2023 NPPF.

## 2. ISSUE 1 – PRINCIPLE OF GREEN BELT RELEASE

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### Question 1

*Has the Council examined fully all other reasonable options for meeting housing needs as required by the Framework?*

- 2.1 As set out at paragraph 3.2.4 of the Regulation 19 representation, in accordance with paragraph 145 of the NPPF, revising Green Belt boundaries through the Local Plan can be justified if exceptional circumstances exist, this includes establishing that all other potential means of meeting development needs have been exhausted prior to considering Green Belt land.
- 2.2 We note that the Council has published the Green Belt and Exceptional Circumstances - Evidence Paper (September 2024) ('the Green Belt Topic Paper') which makes clear that the Council were aware of the need to fully examine all other reasonable options for meeting housing needs before concluding that alterations to the Green Belt were necessary. Indeed, the Green Belt Topic Paper confirms the Council's approach to minimising alterations to the Green Belt has been *"underlain by the concept of 'leaving no stone unturned' in the search for appropriate sites on brownfield land"* (paragraph 3.3).
- 2.3 Nonetheless, given the Council's acute demand for housing including a pronounced shortfall in affordable housing, there is therefore a clear need for housing and as such a clear case for Green Belt release in order to ensure development needs can be met.

### Question 3

*Having determined, at a strategic level, that alterations to the Green Belt boundary would be necessary, how did the Council determine the location of Green Belt releases? How does this correlate to the settlement hierarchy and spatial strategy?*

- 2.4 As set out at paragraph 3.3.1 of the Regulation 19 representations the spatial strategy effectively aligns housing allocations with the District's Settlement Hierarchy, focusing growth in highly sustainable areas. St Albans and Hemel Hempstead, as primary Tier 1 settlements, are prioritised, with significant allocations supporting their role as key urban centres.
- 2.5 The Council undertook a detailed Green Belt Review in order to understand the impacts of potential development in the Green Belt. The Stage 2 Review recommended 54 sub-areas for further

consideration in isolation and 29 sub-areas for further consideration in combination. Some Green Belt sites that were not recommended for further consideration by the Green Belt Stage 2 were recommended to progress due to the location of the site next to a Tier 1, 2 or 3 settlement and the potential of the site to deliver a wide range of significant economic, environmental and social benefits including housing, affordable housing, schools, and a significant scale of sustainable transport improvements and jobs. This is considered to be a robust approach to ensure that sites coming forward are in sustainable locations.

### 3. ISSUE 2 – GREEN BELT REVIEW

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#### Question 3

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

- 3.1 We consider that the Green Belt Review undertaken by the Council provides robust evidence supporting the removal of land from the Green Belt that the DLP proposes.
- 3.2 As set out at paragraph 3.2.9 of the Regulation 19 representation, the exact impact on the Green Belt varies by site. The Stage 2 Green Belt Review assessed 182 sub-areas, rating each based on its role within the broader Green Belt framework. The review found 54 areas that contribute less significantly to the purposes of the Green Belt, recommending them for further review. This suggests that limited, carefully planned adjustments could accommodate growth without compromising the essential functions of the Green Belt.
- 3.3 The Site Allocation M8 represents a highly sustainably located site of an appropriate scale for Green Belt release. It is located on a site that is well enclosed and does not make a significant contribution to Green Belt purposes, given the size of the Site (the total allocation comprises 2.8ha) compared to the scale of the Green Belt as a whole. The Stage 2 Green Belt Review confirms that over 81% of the District comprises land in the Green Belt which equates to 13,141ha. The Site thus comprises only 0.02% of the total Green Belt.
- 3.4 It is not considered that the Site would therefore fundamentally undermine the purposes (taken together) of the remaining Green Belt across the plan area as whole or affect the ability of the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way.

## 4. ISSUE 3 – EXCEPTIONAL CIRCUMSTANCES

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### Question 1

*Do exceptional circumstances exist to alter the Green Belt boundary in St Albans and has this been fully evidenced and justified as part of the plan-making process?*

- 4.1 The Green Belt Topic Paper confirms that the Council has undertaken an extensive and rigorous search for sites on previously developed land within existing built-up areas. It concluded that there is an insufficient supply of previously developed land to meet housing need.
- 4.2 As set out at paragraph 3.2.5 of the Regulation 19 representation, case law, including *Calverton*<sup>1</sup> and *Compton*<sup>2</sup> have clarified the factors that may constitute exceptional circumstances include the following:
- The scale of identified development needs,
  - Constraints on sustainable land supply,
  - Limitations on achieving sustainable development without Green Belt adjustments,
  - The scale of potential Green Belt harm, and
  - Opportunities to mitigate this harm.
- 4.3 Paragraphs 3.2.7 – 3.2.9 of the Regulation 19 representation confirms the Council's acute housing need.
- 4.4 The case of *Compton* also confirms that exceptional circumstances justifying alterations to the Green Belt can exist provided that the circumstances relied upon can be rationally considered to constitute exceptional circumstances. The High Court also clarified that unmet housing need, on its own, is potentially capable of amounting to exceptional circumstances but whilst it may be a significant factor, it must be part of a broader analysis that considers multiple aspects to justify altering Green Belt boundaries. In the case of St Albans – the severity of market and affordable housing shortages – the exceptional circumstances referenced within the Council's Green Belt Topic Paper are clearly

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<sup>1</sup> *Calverton Parish Council v Nottingham City Council & Ors* [2015] EWHC 1078 (Admin)

<sup>2</sup> *Compton PC v Guildford Borough Council & SSHCLG* [2019] EWHC 3242 (Admin)

not irrational. Furthermore, it is clear that the Council have analysed multiple factors in determining that exceptional circumstances exist for altering Green Belt boundaries.

- 4.5 Additionally, whilst it is recognised that this Local Plan is being considered in relation to national policy set out in the December 2023 NPPF, it is nevertheless relevant to note that, for the purposes of decision-making, relevant national policy is currently that within the 2024 NPPF. The 2024 NPPF makes clear that where there is inadequate housing land supply and / or a persistent record of under-delivery of housing, residential development of Green Belt which meets the definition of grey belt is, subject to other criteria being met, not inappropriate. The corollary of this is that, if an up-to-date Local Plan is not put in place for St Albans, the District would continue to face a significant housing land supply shortage, and it is highly likely that further development of Green Belt land (as grey belt) would occur in any case in order to address such shortages, albeit on an unplanned basis.