



Examination of the St Albans Local Plan

Inspectors: Matthew Birkinshaw BA (Hons) MSc MRTPI

and Thomas Bristow BA MSc MRTPI

Programme Officer: Louise St John Howe

louise@poservices.co.uk

Chris Briggs
Spatial Planning Manager
Community & Place Delivery
St Albans City & District Council
District Council Offices
St Peter's Street
St Albans
AL1 3JE

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Dear Mr Briggs,

1. We have been appointed by the Secretary of State to conduct the examination of the St Albans Local Plan to 2041. We have commenced our preparation and have some initial questions, as set out below, where a response from the Council would be helpful in taking matters forward. In responding to the questions, please can the Council refer us to the relevant examination documents by title and reference number?

Initial Questions for Examination

Duty to Cooperate

2. As you are aware, Section 33A of the Planning and Compulsory Purchase Act 2004 places a duty on Local Planning Authorities to engage constructively, actively and on an ongoing basis in the preparation of development plan documents.
3. National planning policy relevant to this examination, as expressed in the December 2023 National Planning Policy Framework (the 'Framework') also provides clear expectations for Local Planning Authorities. Paragraph 26 states that "*Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy.*" In order to demonstrate effective and on-going joint working, paragraph 27 requires the preparation of Statements of Common

Ground, which should be made publically available throughout the plan-making process to provide transparency.

4. The Planning Practice Guidance ('PPG') advises that a Statement of Common Ground is a way of demonstrating how effective cooperation has taken place at the plan-making stage. It also forms part of the evidence required to demonstrate how Local Planning Authorities have complied with the duty (Paragraph: 010 Reference ID: 61-010-20190315).
5. We have now reviewed the Statements of Common Ground recently submitted by the Council and added to the examination library on 23 January 2025. We have the following questions where a response from the Council is needed at this stage.

Question 1 – The Statements of Common Ground refer to the approach “...to accommodating unmet housing needs that may exist within the wider Housing Market Area.” Have any unmet housing needs been identified, and how has the Council engaged in the issue as part of this Plan’s preparation?

Question 2 – In response to the Regulation 19 consultation, National Highways concluded that there is “...insufficient evidence to demonstrate that the Local Plan growth can be accommodated in transport terms on the SRN. Further evidence will be required to demonstrate that the Local Plan is sufficiently robust on transport grounds.” How has the Council engaged with National Highways (and Hertfordshire County Council) on strategic cross-boundary transport matters in the preparation of the Plan? What outcomes can the Council point to which demonstrate constructive, active cooperation on this matter?

Question 3 – What is the current position regarding a Statement of Common Ground with National Highways?

Question 4 – The Statement of Common Ground with Central Bedfordshire states that “Some cross boundary impacts within Central Bedfordshire have been identified, the extent of which are being considered through the provision of additional information from the COMET model. Once this has been received and reviewed, Central Bedfordshire Council hope to update their position on this matter”. How has this cross-boundary issue been considered through the plan-making process as part of the duty to cooperate?

Question 5 – The Statement of Common Ground with Central Bedfordshire also relates to traveller provision in Planning Policy for Traveller Sites, December 2024. Noting that appropriate traveller accommodation provision is part of ‘effective outcome 6’ of the Council’s Duty to Cooperate Compliance Statement of 29 November 2024 (LPCD06.01), please can you confirm how this matter was addressed at a cross-boundary level?

Question 6 – The Statement of Common Ground with Richborough (Examination Document ED26) states that “*there are currently no matters of general disagreement*”. However, concerns are expressed regarding the extent of the evidence provided in respect of the Duty to Cooperate, especially regarding cross-boundary dialogue with Dacorum Borough Council. Please can the Council point to the evidence which demonstrates constructive, active cooperation on this matter?

6. In answering the questions above, the Council should have regard to paragraph 35 of the Framework. It states that Plans are effective where they are deliverable over the plan period, and, are based on effective joint working on cross-boundary strategic matters “...*that have been dealt with rather than deferred*”.
7. It is also noted from the recently submitted Statements of Common Ground with landowners and developers (Examination Documents ED3-ED27) that several of the relevant parties “generally support” the policies in the Local Plan. However, in places the representations suggest that the submitted Plan is unsound and modifications are required.
8. To assist the examination, it would be useful for the Council to set out in more detail where matters are not agreed, and whether it is common ground that any main modifications are necessary for soundness. That could be achieved by adding the Council’s position alongside the ‘issue raised by’ column of the table under section 6 of the Council’s Regulation 22(c) Statement (LPCD05.01).

Flooding

Question 7 – The Environment Agency’s Regulation 19 response raises concerns regarding application of the sequential and exception tests and references ongoing work to address this. Please can the Council identify how this matter has been resolved and the evidence which supports the allocations in the Plan?

Green Belt

9. Paragraph 146 of the Framework states that, before concluding that exceptional circumstances exist to justify changes to the Green Belt, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting housing need. This includes making as much use as possible of suitable brownfield sites and underutilised land, optimising the density of development and liaising with neighbouring authorities to determine whether they could accommodate some of the identified need for development.

Question 8 – How has the Council satisfied the requirements of the Framework in this regard? In answering this question, please can the Council provide specific examples?

10. Paragraph 147 of the Framework then states that when reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Where it has been concluded that Green Belt alterations are necessary, “...plans should give first consideration to land which has been previously-developed and/or is well served by public transport.”

Question 9 – The Green Belt and Exceptional Circumstances – Evidence Paper (Submission Document GB01.01) describes how the Green Belt Review Stage 2 applied a buffer around each settlement to “...assist in encouraging a sustainable pattern of development...”. What was the justification for this approach and how has first consideration been given to land which has been previously-developed and/or is well served by public transport?

Question 10 – In the examination of the previously submitted Local Plan, the examining Inspectors raised concerns about the Green Belt review and the and lack of assessment of smaller land parcels. How does the St Albans Stage 2 Green Belt Review (Submission Document GB02.02, dated June 2023) consider the contribution made by smaller Green Belt parcels? Is the supporting evidence sufficiently robust to conclude that exceptional circumstances exist to alter Green Belt boundaries?

Question 11 – What is the justification for Policy EMP2 (Strategic Rail Freight Interchange) and is it effective? If the intention is to review the Green Belt boundary, what was the reason for not doing it now as part of this Local Plan?

Question 12 – To assist the examination, please can the Council provide a composite list of all alterations to the Green Belt boundary, including a brief summary of the reasons why exceptional circumstances exist in each case?

Housing Requirement

11. Policy SP3 states that the housing requirement is 885 dwellings per year, equating to 14,603 new homes over the plan period 2024 to 2041. Paragraph 3.27 of the Local Plan then states that the housing trajectory is ‘stepped’, to allow sufficient time “...for the significant uplift in housing delivery to be realistically delivered.”

Question 13 – What is the justification for the stepped trajectory proposed, which anticipates housing delivery going from 485 dwellings per year to 1,255 dwellings per year from 2031 onwards?

Question 14 – To be effective, should the intended step-up in housing delivery be reflected in one of the Plan’s strategic policies?

Hemel Garden Communities

12. Policy LG2 refers to the Hemel Garden Communities programme, which will deliver 4,300 new homes by 2041 and 5,500 homes by 2050 through a network of new garden communities to the northeast and east of Hemel Hempstead.

13. The Hemel Garden Communities Evidence Paper (Submission Document HGC 01.01) refers to continued ongoing work to progress and support the delivery of transport interventions, with a focus on key network priorities. Paragraph 5.3 also refers to ongoing work in relation to the Hemel Garden Communities Infrastructure Delivery Plan ('IDP'), noting that this will develop a cost apportionment and cost sharing methodology.

Question 15 – What is the latest position with ongoing highways and infrastructure evidence? What work is ongoing and when is this likely to be completed?

Question 16 – In the absence of the additional evidence referred to above, what information is currently before the examination to demonstrate that the Hemel Garden Communities policies are effective, justified and sound, having particular regard to the necessary infrastructure and highways mitigation?

Question 17 – Based on the answers to the questions above, how have the associated costs and viability of the sites been accurately established and tested?

Question 18 – The housing trajectory in the Plan suggests that the Hemel Garden Communities sites will deliver 4,300 new homes over the plan period. What is this based on and is it justified? Can the sites deliver the scale and quantum of housing envisaged by the Plan? Are they developable?

Question 19 – What contingency mechanisms does the Plan include if the scale of development envisaged at the Hemel Garden Communities is not realised?

Next Steps

14. In order to progress the examination, we would be grateful if the Council could provide a written response to the above questions by **Friday 28 February 2025**. At this stage, it is not possible to confirm the exact dates for the hearing sessions, as this will depend on the answers provided to the questions above, especially where reference is made to additional, ongoing work by the Council. However, we have asked the Programme Officer to look at dates for possible 'Stage 1' hearings in late April, with 'Stage 2' hearings following in the summer to consider sites and non-strategic policies. If responding to our questions by 28 February is not going to be feasible, for example, because additional work is still in preparation, please do let us know at the earliest opportunity.

15. We trust that the above questions are self-explanatory, but should the Council have any questions please do not hesitate to contact us through the Programme Officer. We have asked the Programme Officer to upload a copy of this letter to the examination website, although we are not seeking any comments from participants at this stage.

Yours Sincerely,

Matthew Birkinshaw and Thomas Bristow

Inspectors