

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?

- 8.1 The draft Local Plan (LPCD 02.01 - Reg 19 Local Plan Part A (2024).pdf) states in paragraph 3.2 that it takes *'the approach of identifying and allocating Previously Developed Land / Brownfield sites first for development so that growth is as sustainable as possible'*.
- 8.2 In paragraph 3.5 the draft Local Plan states that *'National policy is clear that before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, it must be demonstrated that all other reasonable options for meeting its identified need for development have been fully examined.'*
- 8.3 The draft Local Plan goes on to state in paragraph 3.2 that *'The Local Plan seeks to make the most efficient use of land in the District and has undertaken an extensive and rigorous search for Previously Developed Land (PDL) (also known as 'Brownfield land' in national policy) within existing built-up areas. The approach has been underlain by the concept of 'leaving no stone unturned' in the search for appropriate sites on brownfield land.'*
- 8.4 As set out in the *Local Plan Site Selection - Proforma Methodology Paper (2024)* (Submission Document *LPSS 02.02*), the Council carried out a study for the identification of potential sites on brownfield land through an Urban Capacity Study. The sites were identified through a desktop review of maps, aerial photographs and online street photography and in some cases site visits. Sources of sites included under-utilised sites such as garage blocks and car parks, vacant and derelict land and buildings, and public sector land. The Council proactively contacted relevant landowners in 2022, 2023 and 2024 to enquire as to the landowner's interest in bringing their site forward for development. This led to the allocation of 54 sites in the Plan, delivering 860 residential units. An example of this is site UC2 - Civic Close Car Park Bricket Road, St Albans, with a proposed indicative use of 57 residential units.

- 8.5 A further category of sites on Previously Developed Land were those put forward through the Call for Sites that were within the urban areas of the District. This led to the allocation of 3 sites in the Plan, delivering 43 residential units. These included non-Green Belt greenfield sites. An example of this is site U2 - Land South West of London Colney Allotments, with a proposed indicative use of 26 residential units.
- 8.6 There were also sites identified for assessment on Previously Developed Land in the Green Belt. This led to the allocation of 3 sites in the Plan, delivering 137 residential units. An example of this is site P2 – Land at North Orbital Road, with a proposed indicative use of 64 residential units. The Council proactively contacted the landowners to enquire as to the landowners interest in bringing their site forward for development.
- 8.7 A level of housing from sites not specifically identified in the Plan, i.e. windfall sites, has also been assumed from brownfield sites, based upon strong, robust and reliable evidence of recent completions. The Council’s approach to calculating the annual windfall allowance has been updated as the plan-making process has progressed. An updated annual windfall allowance figure was calculated for the Regulation 19 Publication Local Plan housing trajectory, published in September 2024 (see *HOU 01.02 - SADC Housing Land Supply, Windfall & Capacity Evidence Paper (2024).pdf*). This research examined residential completions during a 10 year period from 2013/14 to 2022/23, using the most recently available data. It concluded that the annual windfall allowance for the Regulation 19 Publication Local Plan housing trajectory should be 145 net dwellings per annum. This figure is lower than the annual windfall allowance of 180 net dwellings per annum in the Regulation 18 draft Local Plan, as it takes account of decreasing residential completions from large sites formerly in use as offices in recent years. It should be noted that the windfall allowance excludes Green Belt greenfield sites and only PDL sites are included.
- 8.8 The Sustainability Appraisal (SA) provides supporting evidence for exceptional circumstances through fully exploring the public transport case for a greater focus of growth at sustainable locations at the higher tier settlements of St Albans, Hemel and Harpenden, where there is greatest access to public transport, which also reduces pressure for growth at lower tier villages which have lower public transport accessibility.
- 8.9 Policy DES3 – Efficient Use of Land Density provides a minimum density for development and seeks to optimise capacity as follows:
- *Development proposals should make efficient use of land. Development should:*
    - a. *Where additional residential units are proposed, achieve at least the density of the existing site context or 40 net dwellings per hectare, whichever is higher; and*
    - b. *Optimise site capacity within city and town centres and other locations that are well served by public transport. This requires*

*development to be of the most appropriate form and land use for the site, having regard to site context and constraints.*

- 8.10 Density is also addressed through policy LG1 – Broad Locations which states that proposals must '*Make efficient and effective use of the site, with a minimum overall net density of 40 dwellings per hectare; utilising a range of densities that take account of adjacent character, uses and identity*', along with density requirements in policy LG3 - Hemel Garden Communities Growth Areas Place Principles and policy LG4 – Large, Medium and Small Sites.
- 8.11 As set out under Duty to Cooperate response to Question 1, the Council has been proactive and rigorous in liaising with neighbouring authorities to determine whether they could accommodate some of the identified need for development since the start of the Plan's development and throughout.

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?

### Sustainable Development Strategy

- 9.1 Sustainable development is central to the approach of the Local Plan throughout the document.
- 9.2 The approach of identifying and prioritising Previously Developed Land (PDL) using a process of ‘leaving no stone unturned’ was answered in response to Question 8. PDL or brownfield land within the urban areas is considered to be most accessible by walking, cycling and public transport due to the proximity of bus routes and, in some cases, railway stations, within these areas. Sites were rejected due to reasons that included: site too small to accommodate a minimum of 5 residential units; site safeguarded for community or education use; majority of the site in Flood Zone 3b; site forming part of a Scheduled Monument; site designated as safeguarded employment land within the District Local Plan Review 1994; or that the landowner did not express an interest in redeveloping the site. PDL sites in the Green Belt were also considered and allocated where suitable. Overall, the Council sought to identify and allocate all possible suitable PDL sites.
- 9.3 As stated in paragraph 1.33 of the Plan (*LPCD 02.01 - Reg 19 Local Plan Part A (2024)*), the Spatial Strategy has been shaped by the need to address the Climate Emergency and new development will generally be concentrated on the basis of the Settlement Hierarchy. This approach gives priority to the larger urban centres which can provide a greater range of services and facilities, supports the re-use of land within the urban areas, and can reduce the need to travel. These larger urban centres also offer greater accessibility by walking, cycling and public transport.
- 9.4 The spatial distribution of the site allocations and their close relationship to the larger settlements can be clearly seen on the Policies Map.

## Settlement Hierarchy

- 9.5 The Settlement Hierarchy is set out in Table 3.1 of the Plan and is based on a combination of both population size and the availability of a range of services and facilities. The settlements assessed includes Hemel Hempstead which is currently within Dacorum Borough, but expansion into St Albans District is planned. The detailed assessment that evidences the Settlement Hierarchy can be seen in *LPCD 13.01 - Settlement Hierarchy Part 1 (2023)* and *LPCD 13.02 - Settlement Hierarchy Part 2 (2023)*.

## Green Belt Review Stage 2 (2023)

- 9.6 The Green Belt Review Stage 2 report prepared by Arup (*GB 02.02 - Green Belt Review Report (2023)*) feeds directly into SADC's site selection process. This built upon and provided more detail at a more granular level to the 2013 SKM Green Belt Review (*GB 03.02 - Green Belt Review Purposes Assessment Report Annex 1.2 St Albans (partly superseded) (2013)*).
- 9.7 The Green Belt Review Stage 2 Report was undertaken by Arup, who are a leading consultancy in this area of work. Their methodology for Green Belt Review has been supported at several Local Plan Examinations for now adopted Local Plans. Their approach, as set out in *GB 02.02 - Green Belt Review Report (2023)*, was to take an initial area of search:

*defined by applying a buffer around each settlement inset from the green belt, which would assist in encouraging sustainable pattern of development accessible to existing settlements and maintain the integrity of the Green Belt. This approach ensured a proportionate and focussed study. Sites that were not adjacent to existing urban areas (or the buffers) were thus excluded from the assessment on the basis that their release would (a) not contribute to a sustainable pattern of development; and (b) undermine the integrity of the Green Belt by creating hole(s) within its fabric.*

- 9.8 The GBR Stage 2 goes on to state that:

*...the identification of a buffer should not be taken as an indication that this land is necessarily the most sustainable, suitable or deliverable option for any future development. Areas of land which are assessed to perform less strongly against the Green Belt purposes will need to be balanced against wider local plan work to determine the preferred spatial growth option.*

- 9.9 The approach of the GBR Stage 2 was that where the contribution of the site to the wider strategic Green Belt was assessed as less important, or part of a sub-area less important, the GBR Level 2 recommended the sites for further consideration.

- 9.10 The GBR Level 2 acknowledges in section 4.2.1 that:

*the identification of a buffer should not be taken as an indication that this land is necessarily the most sustainable, suitable or deliverable option for any future development. Areas of land which are assessed to perform less strongly against the Green Belt purposes will need to be balanced against wider local plan work to determine the preferred spatial growth option.*

9.11 This consideration was taken into account in the site assessment process described in greater detail below.

9.12 The GBR Level 2 goes on to explain that:

*...there is no specific guidance regarding the appropriate buffers to adopt, therefore regard was given to approaches in neighbouring authorities and authorities with similar characteristics and adjusting the approach to account for the local context. Given that there is no formal guidance or methodology, an element of professional judgement was therefore used to develop an approach appropriate to the district context.*

9.13 The GBR Level 2 provides the underlying reasoning for the buffer choices:

*Given the differing characters and scales of the settlements across the District and adjoining settlements in neighbouring authority areas, two buffer scales were used to reflect the variations in the settlement hierarchy and to ensure that any future development would remain broadly proportionate to the size of the existing built-up area. ... The character of the urban settlements and the approach for a finer grain assessment leant itself to a 400m buffer for the main settlements while a 250m buffer was considered reasonable buffer for lower order settlements. These buffers indicate the likely maximum extent of sustainable development and vary accordingly to the position of the built-up area in the settlement hierarchy.*

### Site Assessment and Selection

9.14 The methodology used to assess sites for allocation in the draft Local Plan is set out in the Local Plan Site Selection Proforma Methodology Paper (*LPSS 02.02 - Local Plan Site Selection Proforma Methodology Paper (2024)*). The Proformas which have been used to assess each site for suitability and are available in the Examination Library at LPSS 02.03 to LPSS 02.17.

9.15 The site selection method undertook site assessment in terms of its sustainable development potential and establishes whether the site is:

- Located in a Green Belt Settlement Buffer (either 400 metres or 250 metres); the buffers are the most sustainable locations spatially in a broad

sense as they are adjacent to the larger settlements which offer best access to a range of jobs, schools, community facilities etc.

- Located on Previously Developed Land; usually a brownfield site is acceptable for some form of redevelopment;
- Located within Green Belt Study weakly performing area;
- Located within Green Belt Study less important area;
- Located within Green Belt Study Recommended for further Consideration area.

9.16 These criteria were used to assess whether, on the basis of the GBR Stage 2, the site should progress, partially progress, or not be taken forward.

9.17 For some sites that were not recommended for further consideration by the GBR Stage 2 there were overriding Economic, Environmental and Social benefits including housing, affordable housing, schools, and a significant scale of sustainable transport improvements and jobs, along with the location of the site next to a Tier 1 or 2 settlement, which led to the Proforma recommending the site to progress.

9.18 Those sites within the Hemel Garden Communities (HGC) area will also support a comprehensive approach to the delivery of HGC including joint work with Dacorum BC to deliver Duty to Cooperate outcomes. As part of the overall HGC programme there are considerable further benefits including supporting delivery of schools, sports and health facilities and around 10,000 jobs across HGC and the Hertfordshire Innovation Quarter

9.19 The site selection Proformas provide a qualitative assessment of the site which draws together many factors, including: whether it is previously-developed and / or is well served by public transport; the Green Belt Review assessment, considers the site in relation to the Settlement Hierarchy, considers the major policy and environmental constraints, overriding economic, environmental, and social factors.

### Sustainable Transport

9.20 For Green Belt sites the Proforma assessment included distances to the nearest public transport, i.e. bus stop and railway station. In their role as the Local Highways Authority, Hertfordshire County Council (HCC) requested that a Transport Impact Assessment be prepared for each proposed site allocation (*INF 09.01 - Transport Impact Assessment (TIA) Intro (2024)* and *INF 09.02 to INF 09.09*). The TIA informed the Proforma assessments and the draft Local Plan by considering the impacts of development of sites in transport terms, and what mitigation (if any) is required. This considered whether sustainable transport modes can be taken up, given the type of development and its location; whether safe and suitable access to the site can be achieved for all

users; and whether any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. The Cross Lane, Harpenden site M1a from the Local Plan Regulation 18 draft was not progressed due to it not being demonstrated that safe and suitable access for all transport modes had a reasonable prospect of being provided within the Plan period. The TIAs for all other Green Belt sites showed that they related sufficiently well to public transport and that safe and suitable access for all transport modes had a reasonable prospect of being provided within the Plan period, to be allocated in the draft Regulation 19 Plan.



**Question 10** – In the examination of the previously submitted Local Plan, the examining Inspectors raised concerns about the Green Belt review and the 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?

10.1 The new St Albans draft Local Plan responds to the issues raised by the Inspectors in 2020, and this is set out in evidence paper *LPCD 07.01 Inspectors Letter 2020 SADC Response (2024)*. The table below summarises the key points in relation to evidence to support the Council's contention that exceptional circumstances exist to alter the boundaries of the Green Belt, and how the Council has worked to resolve them. This document was created early in the work on the new draft Local Plan to help shape the Plan appropriately and reduce risks and has been iterated on several occasions. This version dates from September 2024:

<p><b>2. Soundness</b> - <i>The Inspectors did not reach final conclusions on these issues but they were highlighted to assist the Council with plan-making</i></p>		
<p><b>C. Green Belt</b> - <i>Inadequate evidence to support the Council's contention that exceptional circumstances exist to alter the boundaries of the Green Belt.</i></p>	<p><i>v. The 2013 Green Belt study focused on strategic sites and overlooked small sites with potential to deliver housing. The new Arup Green Belt Review Stage 2 methodology includes small sites.</i></p>	<p><i>v. The new Arup Green Belt Review Stage 2 study specifically includes small sites. Also, a Green Belt and Exceptional Circumstances - Evidence Paper has been produced for Reg 19. Issue resolved.</i></p>
	<p><i>vi. Previously developed Green Belt land and/or land that is well served by public transport should be given first consideration.</i></p>	<p><i>vi. The Site Selection and Local Plan SA reasonable alternatives work addressed for Reg 18 and further addresses for Reg 19 these points. Issue resolved.</i></p>

10.2 The new draft Local Plan has sought to fully consider and, where appropriate, allocate smaller Green Belt sites. This was done through the Stage 2 GBR (*GB 02.02 - Green Belt Review Report (2023)*) which takes a more comprehensive and granular approach to identifying potential subareas to assess within the Green Belt. It included and re-assessed the weakly performing strategic sub-areas and small-scale sub areas identified in the SKM Stage 1 GBR, along with opportunities for potential release in the wider Green Belt.

10.3 The large number of sites of varying sizes that were included in the Study can be seen in Figure 4.4 of the Stage 2 GBR, which shows SKM Stage 1 GBR weakly performing sub-areas, promoted sites, and the buffers. The promoted

sites are those put forward through the Council's previous Call for Sites between 2016 to 2021, and which were within the buffers.

- 10.4 Sites considered were at all scales from the very small to the very large. This can be seen in the site sizes ranging from 0.2 Hectares to 166 Hectares.
- 10.5 The Stage 2 GBR examined the performance of Green Belt within St Albans against the NPPF purposes deemed relevant in this context (i.e. purposes 1-4) using granular land parcels (sub-areas) as the unit of analysis. A total of 182 sub-areas were identified for this review. To ensure an exhaustive approach, these were based on the weakly performing strategic sub-areas and small-scale sub areas identified for further consideration in SKM Stage 1 GBR as well as sites within the Green Belt emerging from the Council's own work on sites.
- 10.6 The sites recommended for further consideration by the Stage 2 GBR (Figures 5.17 and 5.18 of the document) were all considered and assessed through the Site Selection process, and the Proformas set out the reasons why a site either progressed to allocation or were rejected. Site Proformas were undertaken for 143 sites in the Green Belt, of which 45 were recommended to progress, while 98 were not recommended to progress. Of the sites recommended to progress, four are under 1ha.
- 10.7 Some sites were rejected as too small where the number of dwellings that could be accommodated was calculated to be less than 5.
- 10.8 The supporting evidence is considered to be sufficiently robust to conclude that exceptional circumstances exist to alter Green Belt boundaries. As well as paragraphs 10.1 -10.7 above, this question has in part been answered in response to Question 8. The Green Belt and Exceptional Circumstances – Evidence Paper (Submission Document GB01.01) sets out that:

*The local context in which conclusions have been reached regarding the 'Exceptional Circumstances' necessary to require release of Green Belt land involves a variety of factors, including:*

- *The acuteness/intensity of the housing need.*
- *The inherent constraints on supply/availability of non-Green Belt land.*
- *The difficulties of delivering sustainable development without impinging on the Green Belt.*
- *The nature and extent of the harm to the Green Belt that would arise if the boundaries were to be altered as proposed.*
- *The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonable practicable extent.*

*The Council has concluded that 'Exceptional Circumstances' do exist and it is necessary to amend Green Belt boundaries as set out in the draft Local Plan and its Policies Map. This includes amendments to facilitate both primarily residential and primarily employment land. Further there are existing areas of significant built development created since the last Local Plan was adopted in 1994, identified in the Green Belt Review stage 2, where the Council has concluded that the necessary 'Exceptional Circumstances' exist to amend the green belt boundaries.*

- 10.9 The Stage 2 GBR section 4.3 sets out how Green Belt boundaries were identified:  
*The Stage 2 sub-areas boundaries were defined in line with the general principles used to identify the Strategic Land Parcels in the Stage 1 GBR. However, as Stage 2 sub-areas are smaller than Stage 1 Parcels, a wider range of boundary features had to be used to delineate the sub-areas. In locations where readily recognisable and permanent boundary features were absent, sub-area boundaries had to be drawn along features which were readily recognisable, but not necessarily permanent.*
- 10.10 Table 4.2 of the Stage 2 report lists the permanent man-made and natural features, namely:  
*motorways, A and B Roads, railway lines, canals, rivers and waterbodies, and natural 'buffer' features such as ridgelines.*
- 10.11 And additional readily recognisable boundary features which are not necessarily permanent are also listed, namely:  
*unclassified public and private roads, smaller water features, including streams and other watercourses, prominent physical / topographical features, e.g. embankments, existing development with strongly established, regular or consistent boundaries, and well-established woodland edges, tree belts and hedgerows.*
- 10.12 The conclusions of the Stage 2 report, when considering potential amendments to the Green Belt, states that:  
*the relative strength of boundaries was not a determining factor in the final recommendations given it may be possible in certain circumstances to secure mitigation to strengthen currently weak boundaries or to provide new boundaries where gaps exist. While it is noted where this might be required in the final recommendations, the decision on the appropriateness of strengthening existing, or creating new boundaries, will be for the Council to make, taking into account how such mitigation might be secured,*

- 10.13 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, is provided in response to Initial Question 12.

**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?

- 11.1 The Government gave planning permission for the construction of a Strategic Rail Freight Interchange in July 2014, comprising an intermodal terminal and rail and road served distribution units comprising 331,665 metres<sup>2</sup> employment floorspace; and the permission has been commenced / partially implemented. Given the very significant impacts of the scheme it is important that the compensatory improvements to the local Green Belt are delivered, along with highways improvements to accommodate HGV movements in the local area. Policy EMP2 provides a policy to ensure that those improvements are delivered (including circumstances where a revised application or an application to vary a condition or the planning obligation is made). As the Strategic Rail Freight Interchange has been consented and the permission has been partially implemented, the wording of the policy differs to those that apply to developments yet to happen. SADC considers the policy to be worded effectively to help ensure that the compensatory improvements and other mitigation measures are delivered, given the very significant impacts of the scheme.
- 11.2 In line with other developments in Green Belt locations granted planning consent rather than being identified in the Local Plan, the Green Belt boundary around the site of the Strategic Rail Freight Interchange has not been amended in the draft Local Plan. Where Green Belt boundaries have been amended in the draft Local Plan it has been to either reflect new development that has been completed, or to enable a planning application to be made on a proposed allocation without the need to demonstrate Very Special Circumstances (by virtue of the site no longer being in the Green Belt as a result of the Plan-led approach to development). In the case of the Strategic Rail Freight Interchange (and other existing developments consented in the Green Belt but not yet built out), there remains the possibility that the development will not be fully built out. Therefore, the draft Local Plan does not propose to amend the Green Belt boundary in this location on the grounds that it is more effective to review the boundary once the Strategic Rail Freight Interchange has been completed and there is certainty over the final built form and its extent