

Representations to the St Albans Draft Local Plan 2041 – Regulation 19 Consultation.

Land West of Redbourn (B3).

On behalf of Richborough.

Date: November 2024 | Pegasus Ref: P24-2525_R002v4



Document Management.

Version	Date	Author	Checked/ Approved by:	Reason for revision
V1	4 November 2024	AM	PA	Initial draft
V2	6 November 2024	AM	PA	Client comments
V3	7 November 2024	PA	PA	Final draft
V4	8 November 2024	PA	PA	Final



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Appendix 1: Site Location Plan (Land West of Redbourn within St Albans City & District Council)

Appendix 2: Site Location Plan (Land West of Redbourn within Dacorum Borough Council)



1. Introduction

- 1.1. These representations to the Regulation 19 consultation on the St Albans Draft Local Plan 2041 ('the draft Local Plan') are made by Pegasus Group on behalf of Richborough in respect of Land West of Redbourn ('the Site') as shown in **Appendix 1** which is promoted for residential-led development and proposed for allocation by St Albans City & District Council (SADC) under Policy B3 – West Redbourn.
- 1.2. Richborough has entered into a promotion agreement with the landowners Pennard Bare Trust and Ulvir Limited (PBTU) who control a significant part of West Redbourn (c.12.1 hectares). Richborough's land interest is identified as site reference C-096 within the accompanying evidence base¹. The remainder of the allocation is controlled by Vistry Homes, and is the subject of a 'live' planning application submitted in 2021².
- 1.3. Richborough is one of the UK's leading independent land promoters. It has national experience of promoting complex strategic sites for residential and commercial development on behalf of landowners. Richborough is committed to designing high quality residential schemes that are attractive, livable and meet the needs of local people.
- 1.4. Richborough is broadly supportive of the draft Local Plan and is pleased to sign a Statement of Common Ground with SADC to this effect, confirming general support; no matters of general disagreement between the parties; and agreement to ongoing review and cooperation. However, reasonable concerns are raised in respect of the soundness of parts of the Plan as set out within these representations. Richborough is confident that these concerns can be remedied and the Plan is capable of being found sound with modifications or production of relevant evidence ahead of submission to the Secretary of State. Richborough looks forward to engaging with SADC and relevant stakeholders in bringing forward Land West of Redbourn, and to participating in the Examination of the Local Plan in due course.

¹ Green Belt Sites Recommended – Broad Locations Proformas (2024)

² Application Reference 5/2021/3631 – for construction of up to 300 new homes including 35% affordable new homes, new landscaping, public open space and associated infrastructure works.

2. Chapter 1 – A Spatial Strategy for St Albans City and District

Duty to Cooperate

- 2.1. One of the key tests of legal compliance for a Local Plan is the Duty to Cooperate ('DtC'), as set out in the National Planning Policy Framework December 2023 ('the NPPF'). SADC will be fully aware of this requirement, given the failure of the Local Plan 2018 which was withdrawn in 2020 due to a failure to discharge the DtC. It is therefore concerning that the detail provided by SADC thus far on the DtC remains light. Paragraph 1.10 of the draft Local Plan makes reference to the South West Hertfordshire Joint Strategic Plan ('JSP') but this has been a slow process. Additionally, the JSP is clearly focused on longer term opportunities for growth of housing, economic and infrastructure which is not of direct relevance to the draft Local Plans requirements to meet short term needs. This is therefore currently not sufficient to demonstrate compliance with the DtC, as evidence is needed that present housing needs are deliverable across the plan period.
- 2.2. The draft Local Plan evidence base does include an overarching Statement of Common Ground ('SoCG', undated) agreed with adjoining authorities. This SoCG does not provide any detail on the matters that SADC is cooperating with other authorities on, such as whether there is a need to consider the distribution of potential unmet housing needs arising from authorities like Hertsmere and Three Rivers. The SoCG does not provide detail on the progress of emerging Local Plans and positions therein on housing requirements in this context, providing the impression that this has not been considered in detail from a DtC perspective. As acknowledged in the Sustainability Appraisal, this is a matter that requires careful consideration in the context of the increase in housing requirement figures resulting from the new standard method accompanying the draft NPPF 2024. Richborough understands that this matter is also raised in detail in the HBF's representations to the Regulation 19 consultation; it is an important matter that should be considered by SADC in partnership with neighbouring authorities.
- 2.3. On the matter of cross-boundary growth locations. The Site boundary for allocation B3 currently excludes a small area of land adjoining the M1 motorway (see Site Location Plan at **Appendix 2**) as it is located within Dacorum Borough Council's (DBC) administrative boundary. This small parcel represents a logical inclusion as part of the proposed allocation B3 and Richborough will be engaging with and submitting representations to DBC's Regulation 19 consultation for the removal of this parcel from the Green Belt. SADC should also engage with DBC on this matter through the DtC to ensure opportunities for cross-boundary housing delivery are maximised and a bilateral Statement of Common Ground prepared on the matter. This should be done in advance of the submission of the Local Plan for Examination.
- 2.4. SADC is strongly encouraged to produce additional detail to demonstrate that the DtC has been complied with, and engage further with neighbouring authorities as required. This should be done prior to submission of the draft Local Plan, to ensure the Plan is capable of withstanding scrutiny at Examination. The Housing Minister Matthew Pennycook's letter of 30 July 2024 to the Planning Inspectorate made it clear that Inspectors will not tolerate long or drawn out Examinations. SADC should ensure it is satisfied that robust evidence has been provided demonstrating compliance with the DtC to minimise risks of issues being raised post submission.

Strategic Policy SP1: A Spatial Strategy for St Albans District

Housing Requirement and the Sustainability Appraisal

- 2.5. Richborough supports in principle the starting point established in Policy SP1 of a minimum housing requirement of at least 14,603 homes across the Plan period (equating to 885 dwellings per annum) calculated using the current standard method. This approach is in accordance with the current NPPF (paragraph 61), but does deviate from the emerging NPPF 2024 as discussed further below.
- 2.6. The draft Local Plan is supported by a Sustainability Appraisal (SA, September 2024) which sets out a consideration of the growth strategy and testing of reasonable alternative growth scenarios. While paragraph 5.2.28 of the SA suggests that the arguments for delivering either above or below the standard method 'cancel out', the argument provided in favour of a low growth option is weak, and relies solely on the Green Belt constraint. The argument in favour of growth above standard method is much stronger, not least because of the ability to address the significant shortfall in housing delivery and enduring issues with housing affordability (as considered in the South West Herts Local Housing Needs Assessment Update 2024), but also the substantial 'secondary benefits' that could be realised including provision of infrastructure and supporting economic growth.
- 2.7. SADC has ambitious employment and economic policies (Policy SP5) which would yield significant job creation in the district. New homes will be needed to support new jobs and business in the district, particularly in light of the dominant trends in growth in residents aged 65+ and the implications this has for economic growth unless a younger population is able to afford to live and work in the area.
- 2.8. Since publication of the draft NPPF 2024, Inspectors have made it clear that Local Plans (that have reached Examination stage) need to at the very least plan for housing requirements derived from the current standard method. As seen at the Solihull Examination in September 2024, a deficit in housing requirement that falls below the standard method is not accepted and in the case of Solihull resulted in the Local Plan being withdrawn from Examination. The Inspectors letter of 24 May 2024 post-Examination of the North Norfolk Local Plan³ that a deviation below the standard method requires strong and robust justification.
- 2.9. The draft Local Plan has therefore taken the correct approach of planning for a minimum housing requirement based on the standard method, when considered against the current NPPF 2023. The qualification of this being a minimum housing requirement is important, and Richborough encourage SADC to give detailed consideration of a higher housing requirement, particularly in the context of the Duty to Cooperate and the requirement to address unmet needs arising from neighbouring authorities; to address housing affordability; and support the ambitious employment policies SADC is pursuing. This is needed because, while the SA supports SADC's preferred growth strategy as being well balanced in respect of sustainability objectives, the SA does not categorically demonstrate that the higher growth scenarios tested would have significant adverse impacts. In addition to delivering the benefits set out at paragraph 2.6 above, higher housing growth would also enable a contribution to be made

³ [EH006\(f\), Inspector's Post-Examination Hearings Letter, May 2024](#)

towards the unmet housing needs of neighbouring areas – if such needs are identified through the additional DtC work that has been recommended above.

- 2.10. SADC also need to be cognisant of the draft NPPF 2024, which provides an additional reason to consider increasing the housing requirement. The draft Local Plan’s housing requirement is more than 200 dwellings per annum below the emerging standard method, (difference of 659 dwellings per annum). It is noted that SADC are seeking to submit the Local Plan for Examination as soon as possible after the Regulation 19 consultation closes, ostensibly to avoid being ‘caught’ by the transitional arrangements of the draft NPPF 2024. While proactive progress on the Local Plan is welcomed, it is for SADC to provide confidence that this timescale allows for sufficient consideration of consultation responses and for a sound Local Plan to be submitted to avoid delays in the long term.
- 2.11. Notwithstanding when the Local Plan is submitted, the new housing requirements cannot be ignored. The Government has clearly iterated its commitment to increasing the delivery of housing on a national level; resulting in a significant increase in housing requirements not only for SADC, but also neighbouring authorities like Hertsmere (increase by 228 dwellings per annum), Three Rivers (increase by 99 dwellings per annum), Dacorum (increase by 297 dwellings per annum) and North Hertfordshire (increase by 82 dwellings per annum). These increases in requirements are even more profound when compared to existing delivery levels; taking North Hertfordshire as just one example, its average delivery over the period 2020/21 – 2022/23 was only 467 dwellings, which is 525 dwellings below the new standard method requirement.
- 2.12. In this context, it is questioned whether the approach proposed by SADC is the most effective when considered from a strategic plan making perspective. The requirement in the draft NPPF 2024 for SADC to undertake an immediate review (if the Plan is adopted with the current housing requirement) would still apply. Not only will this mean SADC having to immediately start a new Local Plan process, but planning for only the minimum homes required by the current standard method now will mean that SADC will still be faced with having to plan for a significant increase in housing requirement.
- 2.13. In addition, SADC’s neighbouring authorities are preparing new Local Plans, and will be subject to the transitional arrangements in the NPPF 2024 in terms of planning for increased housing requirements. The DtC matter is therefore again relevant here and it is vital to consider the potential for unmet needs in this context, to ensure it can be demonstrated to the Inspector at Examination that all matters have been assessed.

Other points on Policy SP1

- 2.14. It is not clear why Policy SP1 refers to large urban extensions like West of Redbourn as ‘Broad Locations’. This term implies that site boundaries and quantum have not been identified yet. This is clearly not the case, as all of these sites are identified as proposed allocations in Part B with clearly defined requirements.
- 2.15. Proposed remedy: It is recommended that ‘*Broad Locations*’ is replaced with ‘*Large Urban Extensions*’, which would fit with the other categories of development SADC have provided for smaller sites.
- 2.16. The draft Local Plan also needs to be consistent throughout on the definition of Broad Locations. For example, SP1 identifies sites of more than 250 homes as being strategic, while IMP1 defines these as developments of more than 100 homes.



- 2.17. The final criterion of Policy SP1 suggests 'Broad Locations' will be required to provide a comprehensive approach to renewable energy such as wind and solar. There is no clarity provided for this requirement. Notwithstanding whether it is appropriate and supported by evidence, this criterion repeats requirements that are detailed in Policy SP2 in particular e) which encourages provision of on-site renewables. Proposed remedy: Delete the final criterion from SP1.
- 2.18. As a minor point, the colours utilised in Figure 1.2 make it difficult to differentiate between the Tier 4 and 5, and 6 and 7 settlements. This should be amended.

3. Chapter 2 – Climate Emergency

Strategic Policy SP2 – Responding to the Climate Emergency

- 3.1. Richborough recognises and supports the Council's corporate objective of mitigating the impacts of climate change and the need for policies in the draft Local Plan to positively and proactively address the matter.
- 3.2. There is currently unnecessary duplication of policy requirements between SP1 and SP2 such as the provision of biodiversity net gain, tree planting, and renewable energy and energy efficiency measures. SP2 also repeats principles that are set out in more detail in later policies, or repeats the provisions of the NPPF. Appropriate modifications would ensure that the spatial strategy is more clearly and succinctly set out, and that unnecessary repetition of other policies is avoided.
- 3.3. Proposed remedy: The NPPF (paragraph 17) requires Local Plans to include strategic policies that address the strategic priorities for the development and use of land, with regard to relevant national policy and guidance. It is recommended that this could be achieved more effectively through a consolidation of the relevant provisions of Policies SP1 and SP2 into a single 'Sustainable Development' policy.

CE1 – Promoting Sustainable Design, Construction and Building

- 3.4. Richborough recognise and support the amendments made to CE1 a) to bring the policy into line with Building Regulations. Matters of energy efficiency and sustainable construction are best addressed through Building Regulations, which set out a clear path towards improving energy efficiency and significantly reducing the carbon emissions of new homes, as part of the UK's legally binding target of achieving net zero greenhouse emissions by 2050.

CE2 – Renewable and Low Carbon Energy

- 3.5. CE1 refers to a requirement for evidence to be provided in support of planning applications, to demonstrate energy and resource efficiency. Criterion b) of CE2 appears to expand on this requirement by suggesting that this detail should be provided through an Energy Statement.
- 3.6. Proposed remedy: Incorporate criterion b) from CE2 into CE1, which will make the scope required of these Energy Statements clearer, and at the same time also clarify what supporting evidence SADC are expecting from Applicants to demonstrate compliance with CE1.

4. Chapter 3 – Sustainable Use of Land and Green Belt

Strategic Policy SP3 – Land and the Green Belt

- 4.1. The response to Chapter 1 above should be referred to for comments on the draft Local Plan's housing requirement. It is reiterated here that SADC should ensure it has robustly considered all available opportunities to deliver housing above and beyond this minimum requirement, for the reasons set out at paragraphs 2.6 – 2.13.
- 4.2. SADC is heavily constrained by the Green Belt which extends across the District, and the boundaries of which are drawn tight around existing settlements. There is no other available solution other than to release land from the Green Belt if sufficient growth is to take place to meet even the identified housing requirement, which is the minimum local housing need, as well as economic growth ambitions. Not releasing land from the Green Belt would result in a spatial strategy that fails to address the housing and economic needs of communities across SADC, as well as missing out on associated benefits such as increased access to services and facilities.
- 4.3. The significant housing and economic needs of the District, coupled with the lack of sufficient available and suitable land within the urban area, clearly constitute the 'exceptional circumstances' required under paragraph 145 of the NPPF to justify altering Green Belt boundaries. SADC's Green Belt and Exceptional Circumstances – Evidence Paper sets out the relevant evidence which forms the exceptional circumstances, referring to evidence including the Housing and Economic Land Availability Assessment, the Green Belt Review and the Site Selection Methodology.
- 4.4. One major piece of evidence which SADC's Evidence Paper does not currently refer to is the SA. The SA demonstrates that the proposed revisions to the Green Belt boundary, including that required to deliver West Redbourn, is in accordance with SADC's spatial strategy and allows for the creation of sustainable development. This is in the context of paragraph 147 of the NPPF which states that '*When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account*'. It is recommended that SADC incorporate the findings of the SA into their Exceptional Circumstances Evidence Paper.

West Redbourn

- 4.5. Richborough is fully supportive of the allocation of West Redbourn by SADC as a 'Broad Location', as confirmed by Table 3.1. As per comments made above, it is recommended that the term 'Broad Location' is replaced with 'Large Urban Extension'. Comment on the specifics of the allocation policy are made in response to Part B of the draft Local Plan (Section 10 of this Statement).
- 4.6. In terms of the release of West Redbourn from the Green Belt. SADC's Stage 2 Green Belt Review (2023) fully assessed the Site, as sub-parcel SA-3a (with Vistry's landownership to the south assessed as SA-1 and SA-2). The assessment confirms that the Site makes a relatively minor contribution towards the purposes of the Green Belt, and that the release of these parcels (either in isolation or as a strategic parcel) would not cause significant harm to the performance of the wider Green Belt.

- 4.7. Richborough agree with these conclusions on the whole, although it is questioned whether the maximum score that is provided in respect of Green Belt Purpose 3 – To Assist the Countryside from encroachment is evidenced. The highest score is provided on the basis of there being only ‘some urbanising’ effects on these sub-areas. However, this appears to disregard the impacts of the M1 motorway and the electricity pylons along the western boundary of the Site, which have significant urbanising impacts in this area. It is contended that the score should be reduced.
- 4.8. An additional small parcel of land to the north-west (shaded blue on the enclosed Site Location Plan at **Appendix 1**) forms part of the original promoted site. This was assessed through the Green Belt Review as part of sub-area SA-3b. Richborough disagrees with this approach; when considered ‘on the ground’ this area of land has a greater relationship with SA-3a, given it forms the landscaping area for the wider site. Richborough maintains that this small area of land should be included within the allocation, as the existing vegetation could be enhanced as part of the scheme to provide valuable green infrastructure benefits.
- 4.9. The Site represents a logical expansion of the existing settlement. West Redbourn (Site B3) is a sustainable location for growth that is consistent with the spatial strategy set out in the draft Local Plan. This is confirmed through the assessment in the SA which agrees with West Redbourn as being sequentially preferable in both Green Belt terms and provision of appropriate quantum of growth when compared with alternative options in Redbourn. The release of the Site from the Green Belt would create revised boundaries that are defensible and capable of enduring long-term beyond the Plan period. This is in compliance with the NPPF, with the M1 providing a readily recognisable and permanent boundary to the Green Belt at this location.

LG1 – Broad Locations

- 4.10. As per comments made above, it is recommended that the term ‘Broad Location’ is replaced with ‘Large Urban Extension’. LG1 as a whole requires amendment to confirm that the sites that are referred to are strategic allocations, as these are all specific sites identified by SADC with clear certainty in the delivery of development.
- 4.11. Proposed remedy: Replace the term ‘Broad Location’ with ‘Large Urban Extension’ and amend the policy and supporting text accordingly.
- 4.12. Richborough is concerned that previous representations made in respect of this policy do not appear to have been considered. The policy remains unsound and should be subject to modifications to remove criteria that are duplications of other policy requirements, and criteria that are ineffective.
- 4.13. Proposed remedy: LG1 requires modification to ensure a sound policy is presented to Inspectors. Amendments should be made as follows:
- Criterion d) seeks ‘excellence in design, energy efficiency and water management’. ‘Excellence’ is a subjective word and is not a defined or measurable target for Applicants to address or respond to. Excellence should be amended to ‘high quality’ to ensure consistency with the NPPF. The reference to energy efficiency and water management conflicts with the energy efficiency and sustainable design measures required by policies CE1 – 3. Thus, this wording is not appropriate to include in criterion d) and should be deleted.

- In the context of comments made earlier to SP1, criterion e) 'Provide appropriate renewable energy production and supply mechanisms' is unnecessary and can be deleted.
- Criterion g) requires Broad Locations to come forward in accordance with a Masterplan or Development Brief. The draft Local Plan does not identify which Broad Location allocations need to come forward in accordance with a Masterplan or Development Brief at the development management stage of the planning process. Clarity on this issue is required. Regard also needs to be had in the policy of existing local design guidance, such as the Redbourn Design Guidelines and Codes which supports the Redbourn Neighbourhood Plan (made January 2023) to ensure duplicated work is not sought or conflicting requirements established.
- Criterion r) states that Broad Locations must establish 'an appropriate Community Stewardship and Legacy body with sufficient assets to provide sustainable management of community facilities and open spaces'. It is contended that setting up such a body goes beyond what is a reasonable and practical expectation in planning terms. The co-ordination of such a body may not be possible if there is limited local interest and its funding may not be viable. Furthermore, there is no clarification in the Local Plan or its evidence base as to how such a body would function and what funding expectations would entail.
- The requirement in criterion i) of 3% self-build and custom housebuilding provision does not appear to be supported by appropriate evidence. Nonetheless, this repeats the requirement of Policy HOU5 and should be deleted.
- Other criteria of the LG1 are not supported by published evidence. For example, n) requires allocations to deliver x1 new semi-mature tree per new dwelling provided. This requirement which an allocation 'must' provide is not based on any evidenced justification and it is also contended that complying with this requirement could potentially conflict with a site's character or landscaping strategy at the delivery stage and could ultimately affect anticipated site yields. Criterion n) cannot be rigidly applied in all cases and should be deleted; this matter is dealt with in any event through NEB1 and does not need to be repeated.
- Criterion u) requires the 'co-location of community facilities'. This will not be relevant to all strategic sites; the delivery of community facilities will be dependent on a variety of factors. This criterion should be amended to clarify which strategic sites this requirement will be relevant for, otherwise the policy is ineffective and does not provide sufficient clarity.
- Criterion v) 'Normally provide contributions towards the maintenance and / or upgrade of an existing community hall or village hall nearby...' is not an appropriate policy requirement. Again, this requirement will not be relevant to all strategic sites, and the matter of financial contributions and obligations is most appropriately considered at the development management stage, where the mitigation required to address impacts of development can be considered fully with regard to appropriate evidence such as the Infrastructure Delivery Plan, ensuring that appropriate obligations satisfy the relevant CIL tests in being: 1) necessary to the make the development acceptable in planning terms; 2) directly related to the development; and 3) fairly and reasonably related in scale and kind to the development.

- 4.14. Having regard to the above, it is suggested that a more streamlined policy, focussing solely on those requirements that are specific to strategic sites (for example ensuring co-ordination on sites where there are two or more landowners, and producing masterplans where appropriate) would be more effective. This would allow LG1 to provide relevant detail to guide the delivery of strategic sites specifically, while more general policy requirements are covered by other policies. As part of this, the incorporation of Table 3.1 in the policy would be supported as providing additional clarity. LG1 should be reviewed in detail against the evidence base before making amendments, given the concerns raised above.
- 4.15. The concern raised above regarding criterion n) also applies to Policy NEB1, which repeats the requirement for 1 tree per new dwelling, with the added requirement that the trees should be grown 'entirely within the UK where possible'. For the reasons provided above, this is not a sound policy requirement and should be deleted from NEB1 as well.

LG6 – Green Belt Compensatory Improvements

- 4.16. Richborough acknowledges and welcomes the inclusion of the wording that the provisions 'are required, to a degree proportionate to the development...' which introduces an important element of flexibility. Richborough also welcome the confirmation that measures forming part of a Green Belt compensation strategy can incorporate Suitable Alternative Natural Greenspace (SANG) features where this is relevant.
- 4.17. However, LG6 remains unclear on the timing or trigger point for the submission of a Green Belt Compensation Strategy. It is assumed that an indicative Strategy would be provided at the outline planning stage, when the detail of a scheme is sometimes not yet known, with full details to be provided at the Reserved Matters stage when matters such as planting, provision of recreational routes and landscape mitigation measures are confirmed.
- 4.18. It is noted that LG1 twice references the need for new woodland planting, with criterion f) of the policy specifically seeking the delivery of 'woodland buffer planting when adjacent to established urban areas overlooking what was once open countryside'. Whilst the potential need for buffer planting is acknowledged, it may not be required or indeed be appropriate in all cases. It is contended that an additional blanket requirement for woodland planting could unnecessarily restrict developable areas, conflict with a site-specific landscaping strategy and negate the efficient use of land at an allocated site. The recommendations of a Landscape Visual Impact Assessment (LVIA) would provide the necessary guidance regarding the need to mitigate the impact of a development via new woodland planting.
- 4.19. Proposed remedy:
- Clarification should be provided on when the Green Belt Compensation Strategy would be required.
 - It is also recommended that criterion f) of the policy is deleted as woodland planting may not be appropriate in all circumstances and recommendations for woodland planting will be captured in a LVIA at the planning application stage.
 - Criteria b) to e) of Policy LG6 should each be amended to include 'Where possible' before each requirement. At present the policy strands are worded with no flexibility and indeed without a degree of certainty that an allocated site already possesses specific features such as blue infrastructure and public rights of way which are ready



and capable of being enhanced. Clearly, this won't be the case on all sites and LG6 needs to be amended to reflect this.

5. Chapter 4 – Housing

HOU1 – Housing Mix

- 5.1. Policy HOU1 – Housing Mix is very prescriptive and does not allow for any flexibility in approach. Market and affordable housing needs and demand will likely change over a plan period, Policy HOU1 should be alive to this potential for change and should be caveated to allow for more up to date evidence to be taken into account as part of the planning application process should it be forthcoming. Furthermore, in the case of Redbourn, the Parish Council have an adopted Neighbourhood Plan with its own local housing mix policy and requirements – which differ from the requirements set out in HOU1 which are based on the findings of the South West Herts Local Housing Needs Assessment Update (LHNA 2024).
- 5.2. Proposed remedy: This conflict clearly demonstrates the need for flexible wording to be inserted into HOU1 to allow the local planning authority to determine an appropriate mix in light of the latest evidence when a planning application is under preparation. The appropriateness of a housing mix is influenced by a range of factors. The policy should be clear that the housing mix suggested in Policy HOU1 will be a starting point for discussions on the appropriate housing mix for a certain site. The policy should be amended to allow for other evidence to be provided justifying deviations from the suggested housing mix, such as site specific constraints or up to date market research undertaken by the developer.

HOU3 – Specialist Housing

- 5.3. It is acknowledged that the LHNA sets out the importance of delivering accessible and adaptable homes. The LHNA also identifies a need for specialist older persons housing provision, although there is no agreed standard method for assessing the housing and care needs of older people. However, the relationship between the LHNA and requirements of HOU3 are not clear, particularly criterion c) which requires 'Broad Locations' of more than 500 dwellings to make provision for specialist housing to meet the needs of older people and / or people with disabilities. No clarification is provided on how this requirement relates to the need identified in Table 4.2.
- 5.4. This policy requirement contradicts the findings of the Infrastructure Delivery Plan (IDP, 2024) which refers to the LHNA when setting out specific requirements for the delivery of nursing homes, extra care facilities and other specialist housing at specific strategic sites. Based on this evidence, the relevant policy allocations have been amended to identify this up-to-date requirement with for example B2 – North East Harpenden required to deliver one extra-care facility. At the same time, other allocations have been amended to remove requirements for extra-care facilities such as B3 – West Redbourn where the need is no longer supported by evidence.
- 5.5. Proposed remedy: On the basis that the specific policy allocations for strategic sites identify requirements to provide specialist housing provision in line with the latest evidence (i.e. the LHNA and IDP), criterion c) should be deleted from HOU3.

HOU4 – Accessible and Adaptable Housing

- 5.6. Richborough acknowledge that the provision of a choice of attractive housing options to older households and persons with mobility issues is a component of achieving a good housing mix. In line with the comments made above in response to HOU3, SADC should ensure clear and robust evidence is available demonstrating the link between the need identified in the LHNA and the requirements in HOU4 for all new homes to comply with Building Regulations Part M4(2) standards. This evidence should also demonstrate why the optional Part M4(3)(a) standard will be required for 5% of market dwellings and Part M4(3)(b) for 10% of affordable dwellings. This will ensure the policy meets the relevant soundness tests.
- 5.7. It is noted that the definition provided of Part M4(3)(b) being ‘wheelchair user dwellings’ is incorrect, as this applies to all dwellings built to Part M4(3) standard. The difference is that M4(3)(a) dwellings are wheelchair adaptable, while M4(3)(b) dwellings are wheelchair accessible. This should be clarified in HOU4 to provide certainty.

HOU5 – Self-Build and Custom Housebuilding

- 5.8. Richborough recognise that SADC has a duty to deliver self and custom build plots to meet the local need recorded on the local self-build register. In this regard Richborough is alive to the prospect of providing plots at West Redbourn.
- 5.9. Policy HOU5 b) encourages self and custom-building provision on development for 10 homes or more in suitable locations. Criterion a) of HOU5 requires Broad Location allocations to provide 3% of total dwellings to be self and custom build (CSB) plots.
- 5.10. The LHNA sets out a shortfall in CSB of 585 plots, which is based on a comparison of supply to October 2022 with need to October 2022. The need is based on the St Albans CSB register, although it is noted that the register does not include any specific eligibility criteria or a local connection test. This in itself throws into question whether an accurate assessment of need can be made using the register as a data source. Given the specific 3% need identified by Policy HOU5 a) SADC should publish evidence demonstrating how the requirement has been calculated with regard to both evidenced local need, the number and capacity of strategic sites and viability considerations.
- 5.11. This is important to ensure the policy is taking a sound approach in setting a specific requirement for strategic sites to deliver CSB plots, rather than taking a flexible approach and encouraging CSB provision so that delivery can be driven directly by local market demand.

6. Chapter 7 – Community Infrastructure

COM1 – Education

- 6.1. Richborough is committed to ensuring that Redbourn has the infrastructure it requires as part of delivering housing growth. Policy B3 states that the draft West Redbourn allocation will result in a need for additional primary education capacity, in the form of a new 2FE primary school with early years capacity, to be delivered on the Site. The IDP specifies the early years requirement as a nursery; reference is also made to a new 30 place childcare setting which it is assumed is intended for delivery at West Redbourn as well.
- 6.2. While the IDP indicates that the data source for deficit / surplus in primary school places is Hertfordshire County Council, there is no clear evidence demonstrating how a deficit in school places has been translated into a need for a new school.
- 6.3. Although Policy B3 now specifies delivery of an on-site school only, it is noted that the IDP (Appendix A.1) still refers to contributions towards either a new school or expansion of the existing school. The Local Plan Viability Study Strategic Site Testing: West of Redbourn does not allow for costs relating to either provision of land for a primary school, or contributions towards its delivery.
- 6.4. Proposed remedy: Consistency needs to be provided across all evidence base documents to ensure there is clarity as to SADC’s strategy in relation to primary school provision.
- 6.5. Criterion b) of COM1 states that ‘The provision of playing pitches for community use will be required at new primary and secondary schools’.
- 6.6. The evidence supporting the need for this requirement is unclear. A review of the IDP shows that Redbourn Leisure Centre Football Pitch is being upgraded and the quality improved, so a need for a second football pitch seems unnecessary. The IDP states that Redbourn Leisure Centre Cricket Pitch needs to be relocated but this is incorrect, there is a separate cricket pitch and club already located in the centre of the village. A second cricket pitch would therefore also seem unnecessary. The needs for rugby are met at Harpenden Rugby Club.
- 6.7. In addition to the above, IDP Appendix 1 confirms off-site contributions will be required from West Redbourn to support delivery of associated sports provision, or enhancement of existing provision. No on-site delivery is indicated.
- 6.8. It is recognised that the Playing Pitch and Outdoor Sport Strategy (2024) suggest that sites of 600 or more dwellings are likely to generate demand for sports uses. However, the Strategy recommends SADC *consider* provision of playing pitches. It is clear that no need has been demonstrated for playing pitch provision at West Redbourn. Suggested policy amendments are provided below – this will also address the fact that the policy is very unclear about provision required. A playing pitch could range from a small ‘five-a-side’ pitch to a full sized cricket field. Impacts on site capacity would thus also be wide ranging, and the impacts of this policy requirement in that regard do not appear to have been considered.
- 6.9. Proposed remedy: Suggested amendments to the policy wording are provided below. In addition, SADC need to provide clarity on what is meant by community use agreements and when and how such an agreement would be entered into, and the parties responsible for this agreement.



Requirements for schools within **Broad Locations Large Urban Extensions** are set out in ~~in~~ the Site Allocations (Part B). ~~The~~ **Any** associated indoor and outdoors sports facilities should serve a community joint use function. Access must be secured through community use agreements. The provision of playing pitches for community use will be required at new primary and secondary schools **where a local need has been clearly evidenced and demonstrated.**

7. Chapter 8 – Transport

Strategic Policy SP8 – Transport Strategy

7.1. Richborough notes the request at criterion i) for Masterplans at 'Broad Locations' to include the implementation of sustainable travel infrastructure. In line with comments made in response to Policy LG1, additional clarity needs to be provided on the Masterplan process. This is important to ensure reasonable detail is requested at the Masterplan stage, that does not unduly delay the progress of applications at the development management stage. Additionally, it is also important at ensuring applicants have a clear and transparent process through which a Masterplan can be progressed, so there is certainty from the outset on the timescales and work involved.

7.2. Proposed remedy: Amend the policy wording to state,

Seeking Masterplans at ~~Broad Locations~~ **Large Urban Extensions** to include **the implementation of sustainable travel principles that will be implemented infrastructure** at the earliest reasonable opportunity in order that sustainable travel patterns become embedded at an early stage.

TRA4 – Parking

7.3. Criterion e)ii. states that it needs to be demonstrated to the 'satisfaction' of SADC that attractive alternatives to the private car would lead to reduced demand. While the principle of promoting sustainable modes of travel is fully supported, this requirement is not clear or measurable; there is no clarity for the Applicant on how compliance with this policy would be assessed at the development management stage. This needs to be clarified in the policy.

7.4. SADC also need to ensure that the Local Highways Authority (LHA) is in agreement with proposals to provide reduced parking provision, as requirements to increase parking (whether allocated parking for residents or visitor parking) are often enforced by the LHA. Rather than focusing specifically on 'Broad Locations' as areas for reduced parking, it would be more appropriate to draft a set of flexible parking standards that allow appropriate parking provision to be agreed on a site-by-site basis with both SADC and the LHA.

8. Chapter 10 – Natural Environment and Biodiversity

NEB7 – Biodiversity Provision in the Design of New Buildings and Open Spaces

- 8.1. The requirement to provide one swift brick, one integrated bat box and one integrated insect box per new dwelling is not supported by evidence and should be deleted, and the text reverted to the Regulation 18 version which allowed for mitigation measures to be informed by detailed and site-specific ecology assessments.

NEB12 – Green Space and New Green Space Provision

- 8.2. Richborough acknowledge and support the principle of providing high quality open space as part of residential developments. Indeed, it is their aspiration to deliver an attractive, healthy and biodiversity rich residential development at West Redbourn. Notwithstanding their in-principle support for the Local Plan providing a policy which promotes the delivery of new public open space, the matters of detail raise some concern.
- 8.3. Table 10.1, within Policy NEB12, provides a rigid set of Quantity Standards for open space typologies and numerical standards. Table 10.2 confirms that these requirements will be required to be met on-site for all development of 250+ dwellings. Based on the standards a scheme of 300 dwellings (and 2.4 people per dwelling) would need to deliver approximately 4.3ha of public open space set across six different typologies including parks and gardens (7.1 sqm per resident) and allotments (4.5 sqm per resident). The figures are based on open space standards provided by the latest Open Spaces Study (2024), which itself sets open space targets based on the level of existing provision.
- 8.4. Any playing pitch provision would be an additional requirement – Table 10.1 refers Applicants to the Sport England Playing Pitch Calculator, however this is not publicly available and would not take into account existing local provision and needs.
- 8.5. The typology and numerical requirements set out in Policy NEB12 are a useful guide, however, in practice at the Development Management stage of the planning process there will inevitably be a need for flexibility in their application to respond to local needs and site-specific circumstances. Land at West Redbourn for instance is located adjacent to an existing play area, and a new children’s play area may not necessarily be required.
- 8.6. Some of the requirements, such as 34.6sqm per person for natural green space and 4.5sqm per person for allotments, seems excessive especially when the inflexibility of the current wording is taken into account. SADC should ensure there is sufficient justification to support these standards, and that the impact of meeting these standards in full on the capacity of allocations has been fully considered.
- 8.7. The need for flexibility in approach is heightened by the legal national requirement for developments to deliver minimum 10% Biodiversity Net Gain (BNG). In our experience, depending on site specific circumstances, a significant and specific type of open space provision may be required to meet net gain targets. By seeking a prescriptive numerical standard per typology, alongside typologies which have limited BNG value (for example:

sports pitches, allotments and equipped play) Policy NEB12 could potentially act as a barrier to achieving on-site net gain targets. There is a clear need for flexibility in approach from SADC as part of the Local Plan.

- 8.8. In our experience it is uncommon, not necessary and potentially inappropriate for a scheme of 250+ dwellings to deliver parks and gardens. Parks and gardens typically form part of the open space provision on large-scale strategic sites, often in excess of 1,000 dwellings. In respect of allotment provision, it is sometimes the case that Parish Councils wish for investment in or expansion of existing allotment facilities; or depending on waiting lists at existing facilities they may not want further allotment provision. A similar principle can also apply for equipped play and sports pitches with Parish Councils and local communities preferring investment in existing facilities rather than diluting the local offer across a number of sites.
- 8.9. Proposed remedy: In light of the above, it is recommended that Table 10.1 is removed from Policy NEB12 and added to supporting text as guidance only with the threshold for the parks and gardens typology raised to 1000+ dwellings or 'where local circumstances indicate a specific need'. Sports pitch provision should also be based on 'where local circumstances indicate a specific need', this is already partly acknowledged in criterion f) but this specific wording should be incorporated for clarity.
- 8.10. Table 10.2 should then be deleted from the Policy and replaced with flexible wording which indicates that for schemes of up to 1,000 dwellings, on-site provision can be replaced by an off-site contribution in lieu of a specific typology should local circumstances indicate that this is appropriate.
- 8.11. Given the need to support the aspirations of local communities, make efficient use of allocated land and allow for the best chance of delivering at least 10% BNG on-site, these proposed amendments to Policy NEB12 are entirely logical and will support the delivery of sustainable development. As currently drafted, Policy NEB12 provides a rigid set of requirements which do not reflect the constraints in achieving mandatory minimum 10% BNG on-site and allowing development proposals to be considered on a site-by-site and unique basis.

9. Chapter 14- Implementation

SP14 – Delivery of Infrastructure

- 9.1. Richborough is committed to mitigating the impact of development on existing local infrastructure and should it be evidenced as being required will support the on or off-site delivery of new local infrastructure to meet the needs of new and existing communities. Accordingly, the principle of draft Policy SP14 is supported, a Policy of this nature will be required as part of the Plan.
- 9.2. Notwithstanding the above, Richborough has comments on criterion g) of Policy SP14 which requires the infrastructure needs highlighted in the Infrastructure Delivery Plan (IDP) to be delivered by new developments. It is assumed that the vast majority of these new developments will be Local Plan allocations.
- 9.3. Whilst Policy SP14 offers flexibility in approach for Applicant's if a scheme has viability issues at the application stage, ultimately g iii) confirms that SADC would refuse planning permission if the scheme would be unsustainable without the required infrastructure. In this regard, SADC should remember that there is an onus on the Council to test the viability of the proposed site allocations alongside the IDP requirements as part of the Plan-making process. In this regard, the concerns raised in these representations above about discrepancies between draft policies and the IDP regarding open space provision and playing pitch provision should be costed in a robust manner.

10. Part B – Local Plan Sites

B3 – West Redbourn, Redbourn, AL3 7HZ

- 10.1. Richborough strongly supports the allocation of West Redbourn under Policy B3, which is consistent with the approach set out in the draft Local Plan's spatial strategy.
- 10.2. Richborough has entered into a promotion agreement with landowners Pennard Bare Trust and Ulvir Limited (PBTU), who control a significant part of the proposed B3 allocation at West Redbourn (c.12.1 hectares). The land under the control of Richborough is situated to the north of Flamsteadbury Lane and is shown on the updated Site Location Plan submitted in support of these representations at **Appendix 1**.
- 10.3. Moreover, as discussed previously, it is noted that a small area of the landownership to the West of Redbourn and to the east of the M1 motorway is located within Dacorum Borough Council's (DBC) administrative boundary and therefore currently excluded from Broad Location B3. This small parcel would represent a logical inclusion as part of proposed Broad Location B3 and Richborough will be engaging with and submitting representations to DBC as part of the Local Plan-making process. SADC should also engage with DBC on this matter through the Duty to Cooperate to ensure opportunities for cross-boundary housing delivery are maximised and a Statement of Common Ground prepared on the matter.
- 10.4. The Site has been promoted as deliverable (suitable, available and achievable) for a number of years, including throughout the preparation of the previous iterations of draft Local Plans produced by the Council. The signing of the promotion agreement with Richborough, which is a leading national land promoter, demonstrates clear and continued commitment to the delivery of this Site which remains available for residential development. Richborough will be able to utilise its significant planning, technical and design expertise to work proactively with the Council to promote the Site through the remainder of the Local Plan process.
- 10.5. On this basis, the Site's identification as part of allocation B3 for the delivery of new housing growth is welcomed and supported. Although Richborough is supportive of the policy in principle, it recommends some modifications to the detailed policy wording to ensure soundness.
- 10.6. **Number of new homes:** B3 identifies the Site capacity as being 545 units. This is defined as being an indicative capacity. The indicative capacity is a reduction from that stated at the Regulation 18 stage (593 units), the reason for this slight reduction in capacity has not been explained. SADC's Housing Land Supply, Windfall and Housing Capacity Evidence Paper (2024) confirms that indicative capacities for proposed Green Belt site allocations remains based on the Housing and Economic Land Availability Assessment (2021). This calculates an approximate capacity based on the application of an average density of 40 dwellings per hectare (dph). The application of a density figure to calculate capacity in this manner is a crude tool. In reality, an average density figure is not applicable to an entire development site. Factors arising from good design principles such as creation of interesting streetscenes, distinct character areas, and use of varying housing typologies to best meet local needs means a site's density will vary – with higher densities being more appropriate in central areas and adjoining the motorway boundary. This can be seen in the existing character of Redbourn, with varying densities across the village. The conclusions of the West of Redbourn Heritage Impact Assessment (2024) are also relevant, with its recommendation that an



increase in housing densities in the northern part of the Site would be appropriate compared to the southern part of the Site that is in closer proximity to the listed Church and boundary of the Conservation Area.

- 10.7. Nonetheless, Richborough has undertaken initial site-specific capacity testing which has demonstrated that the Site is capable of delivering around 300 homes in a policy compliant manner. Taken together with the current Vistry homes live application for up to 300 homes, this provides a total potential capacity for the allocation of approximately 600 homes.
- 10.8. On this basis, Richborough agree with the approach taken of identifying an indicative capacity for the Site at this stage, and recommend that the final policy wording states a capacity of *approximately* 545 homes to allow flexibility. Richborough is in the process of preparing further detailed technical and design work to further evidence the suitability and sustainability of the Site. The technical work will assist in shaping a Framework Masterplan for the Site, demonstrating how the policy requirements can be delivered while taking into account and addressing known constraints. There are not considered to be any insurmountable constraints, and with careful planning the Site will be able to accommodate significant housing growth supported by public open space, landscape planting and infrastructure. The detailed technical and design work will be shared with the Council in due course as part of the ongoing collaborative working arrangement.
- 10.9. It is noted that the dwelling capacity for West Redbourn remains unchanged at 593 units in Table 3.1 earlier in the draft Local Plan. A consistent approach should be taken to the stated capacity of allocation B3.
- 10.10. **Design principles:** Richborough can confirm that the following key design principles are informing the masterplanning process of the Site, which has been informed by relevant requirements of Policy B3:
- Retention and enhancement of green infrastructure on the northern and western boundaries;
 - Potential primary school land provision identified, dependent on confirmation from Local Education Authority (LEA) of the most suitable location for provision within the allocation as a whole;
 - Due consideration of pipeline, with open space located along the associated easement;
 - Permeable and accessible development, with opportunities identified for connections to existing Public Rights of Way (including south towards the Nickey Line), pedestrian and cycle network;
 - Consideration given to the need for Suitable Alternative Natural Greenspace (SANG) or alternatively to contribute towards the maintenance of a suitable SANG project elsewhere;
 - Proposals informed by a drainage strategy incorporating Sustainable Drainage Systems, with due regard given to areas of surface water flood risk.
- 10.11. **Criterion 1** – Richborough is committed to working with SADC and stakeholders to ensure that delivery of the allocation is supported by adequate access to local infrastructure, without there being a detrimental impact on existing infrastructure in Redbourn. It is noted

that criterion 1 states a requirement for a new 2FE primary school, including Early Years provision. Richborough is willing to work collaboratively with SADC, the LEA and Vistry Homes to identify the most appropriate location within the allocation for the primary school – to ensure the stringent school site location requirements can be met.

- 10.12. The policy should clarify that the requirement is to safeguard land for a new early years and primary school, rather than deliver the school outright. This is to take into account that the ultimate responsibility for delivering the school rests with the LEA (supported by contributions from new development), and indeed that the requirement for education land is dependent on the need for a new school being established at the time of any planning permission being granted for development.

Safeguard land for A new 2FE primary school, including Early Years provision, to serve the new and wider community.

- 10.13. **Criterion 2** – relating to contributions towards relevant transport schemes, which are taken from the site-specific transport appraisal undertaken by SADC. In relation to enhancements towards the Nickey Line cycleway, it is noted the IDP confirms this relates to the installation of signage and additional lighting to increase ease of use. Improvements to the A1583 route are not detailed in the IDP (in relation to West Redbourn). It is important that the policy wording maintains an element of flexibility, as any required contributions will need to be evidenced as being directly related to and required to mitigate impacts arising from proposed development.

- 10.14. **Criterion 3** – there is an element of duplication with criterion 2, minor amendments recommended to provide certainty:

~~Provision of links and support for improvements to the Nickey Line as an active travel corridor.~~ **Public Rights of Way** improvement contribution to the link over the M1 and out into the wider recreational network to the West. The network of Public Rights of Way **within the site** must be retained and enhanced to encourage local walkers and dog walkers to use local routes into the wider countryside.

- 10.15. **Criterion 4** – again repeats what is covered in principle by criterion 2, and could be deleted.

- 10.16. **Criterion 7** – it is noted that the requested contributions towards Flamsteadbury Park play area are not covered by the IDP. It is also not clear how improvements made to this play area, and its close proximity to the Site, will be taken into account when considering new play provision that is required on the Site. Earlier comments made in response to Policy NEB12 and the recommendation of flexibility in applying open space standards are again relevant.

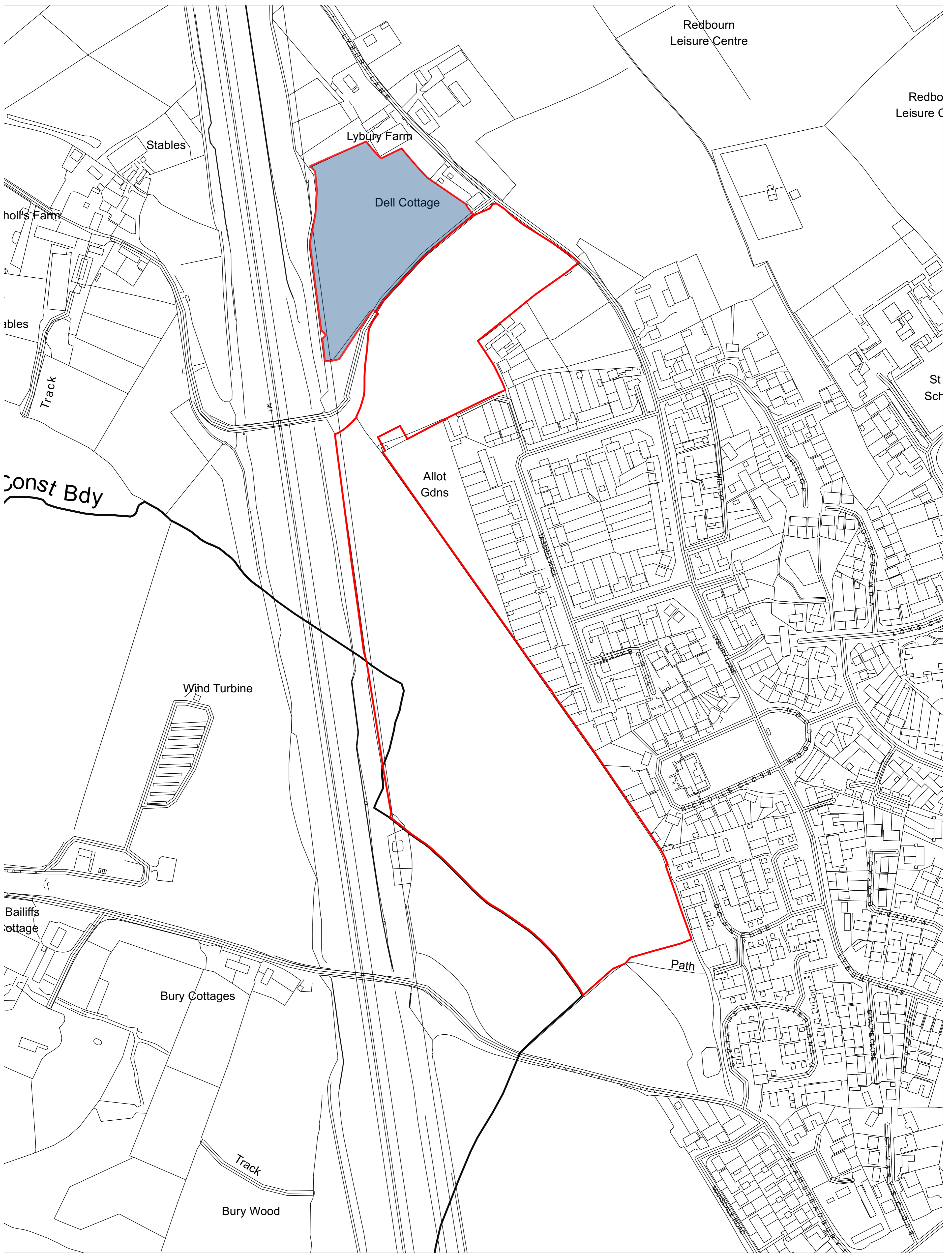


11. Conclusion

- 11.1. Richborough generally supports the SADC Draft Local Plan 2041, however reasonable matters to be resolved through the plan-making process have been set out in the representations above.
- 11.2. Richborough considers that each of these matters is capable of remedy and that the Plan can, with appropriate modification, be found sound; and look forward to working constructively with SADC to deliver much-needed new homes at Site B3 West Redbourn.



Appendix 1 – Site Location Plan (Land West of Redbourn within St Albans City & District Council)



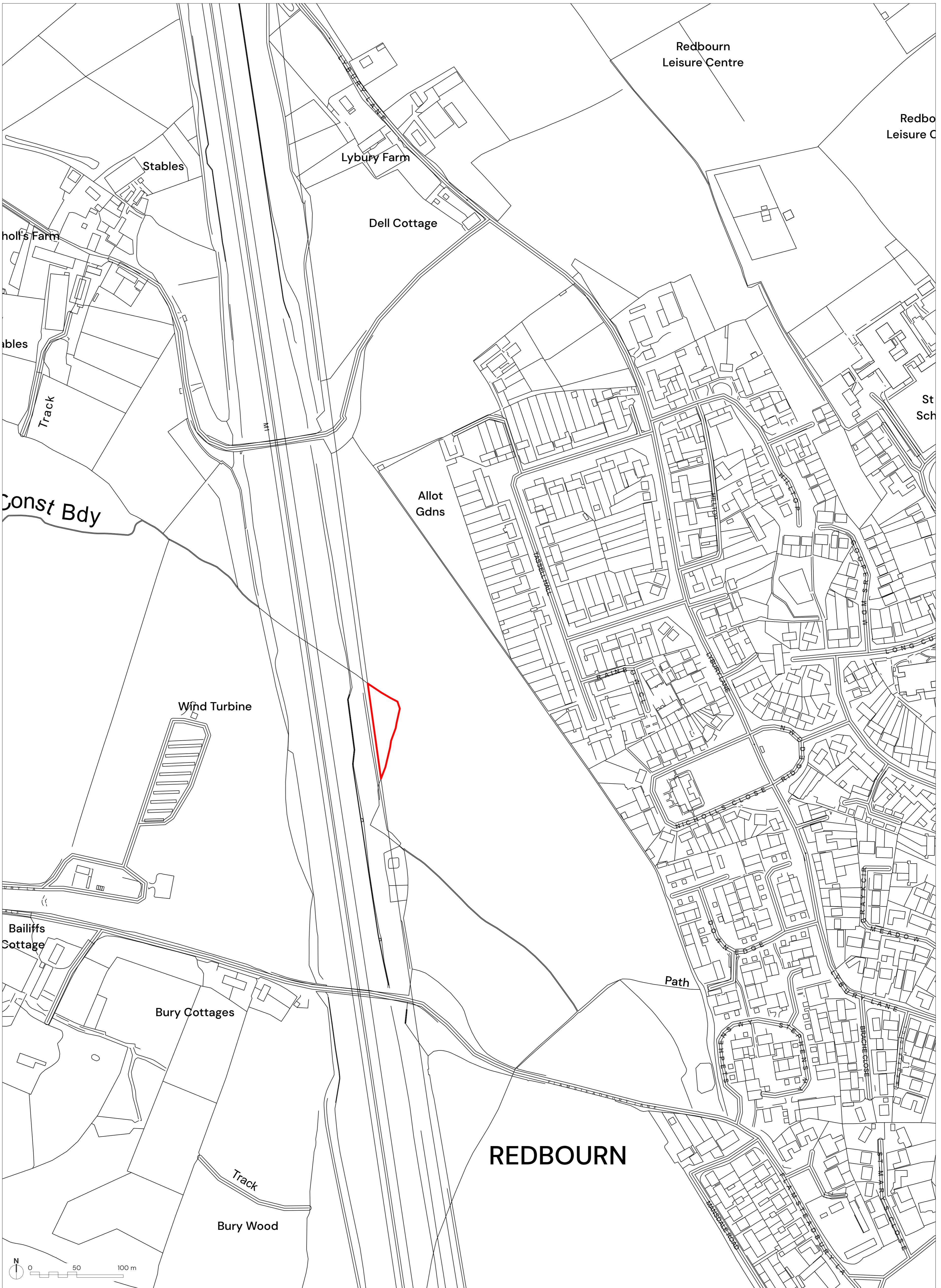
KEY - LAND OWNERSHIP PLAN

- SITE BOUNDARY [14.67 HA]
- UNDER SAME LAND OWNERSHIP [2.8 HA]

LAND WEST OF REDBOURN - SITE LOCATION PLAN



Appendix 2 – Site Location Plan (Land West of Redbourn within Dacorum Borough Council)



KEY

 SITE LOCATION (0.17 HA)

**LAND TO THE WEST OF REDBOURN – LAND WITHIN DACORUM
BOROUGH COUNCIL**

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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